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POLITICAL.

LETTER OF THE POSTMASTER GENERAL TO THE CHIEF JUSTICE OF THE CIRCUIT COURT, D. C.

Giving the grounds on which he denies their legal authority to issue a mandamus, commanding him to credit Messrs. Stockton & Stokes, and others, with a certain sum of money awarded them by the late Solicitor of the Treasury.

[CONTINUED.]

Again: There are several provisos to the act limiting the power of the Solicitor. One of them is as follows, viz: Provided, the said Solicitor is not authorised to make any allowance "for any suspension or withholding of money as aforesaid, for allowances or overpayments made as aforesaid, on the route from Baltimore to Washington, under the contract of 1827." If, instead of 1827, the year 1831 had been used in this proviso, it would have covered a part of the allowances embraced in the award. Had it done so and had the award embraced that or any other allowance prohibited by the provisos, would it not have been the duty of the Postmaster General to refuse the credit and payment? It cannot be doubted. But how could he ascertain whether the allowance was prohibited by the proviso or not? Could he do it in any other way than by examining the allowance and comparing it with the proviso? If, in his opinion, it were prohibited, he would refuse to pay it—if not, he would pay it. And is there not *discretion* here? May he not pay, or refuse to pay, according to his opinion of the power of the Solicitor to make the allowance.

On these points there can be no doubt that the Postmaster General *has a discretion.* But what is the difference between his right to determine whether the Solicitor has transcended his power on *specific points* or *in his award generally*? Had he not a discretion to refuse to pay the whole award, or any part of it if he honestly believed it contrary to law? If, on looking at the law and the award, he found that the Solicitor had departed from his authority altogether, it cannot be doubted that he had a right under the law, and that it would have been his duty, to decline carrying it into effect.

This is not a case, therefore, where a specific duty is enjoined by law, in the performance of which there is no discretion, such as the payment of a definite sum of money, the registering of a certificate, or the recording of a patent, and consequently it is not a proper case for a mandamus.

2. It seems to be conceded, that, under existing laws, a writ of mandamus can be issued by a Court only as a means of *exercising* its jurisdiction, and not for the purpose of *obtaining* jurisdiction.

Let us apply the principle to this case. The jurisdiction of every court must be original or appellate. Original jurisdiction is where, by authority of the Constitution and laws, proceedings are originated in the court in the first instance. Appellate jurisdiction is where, by authority of the same Constitution and laws, a case is taken out of a lower tribunal into a higher, with a view to a revision of the proceedings of an inferior court.

In this case the Circuit Court of the District had no original jurisdiction to adjudicate upon the claims of the contractors. There was no mode known to the laws by which they could prosecute those claims in any court whatsoever. Congress created a special tribunal for that purpose. They made the Solicitor of the Treasury a chancellor for the special object, and clothed him with power to take evidence and adjudicate upon the claims of the contractors. No other court on earth could have entertained this case.

Nor was any appeal from the decision of this special court provided for by the law which created it. Neither the Circuit Court of this District, nor the Supreme Court of the United States, nor any other judicial tribunal, had power to bring up the case from the Solicitor of the Treasury, either before or after his award, and revise his proceedings. No judge could take from, or add to, the amount of his award, nor has any judge the legal power to say whether that officer decided according to law or against law. The Solicitor's power in this case was equal to that conferred on the Supreme Court of the United States in cases subjected to its jurisdiction, and above that of the Circuit Court for the District of Columbia from which there is an appeal. The Solicitor had as much power under the law which gave him jurisdiction, to issue a mandamus to bring before him, for consideration or revision, a case acted on in the District Court or the Supreme Court, as either of them has to issue a mandamus to bring before them for consideration or revision a case decided in his court; and he has as much right to interpose by a mandamus to execute their judgment as they his.

How, then, do the Circuit Court get jurisdiction in this case? Not by the law, for the law gives them none, either original or appellate. They *obtain it by the mandamus, and by that only.*

Is it said that they do not claim jurisdiction to inquire into and revise the Solicitor's award? What, then, does their jurisdiction amount to? What "*case*" is this, where the jurisdiction is not to inquire into, to revise, to adjudge, but merely to *execute*? In the ordinary routine of judicial proceedings, the "*case*" comes first, the "*suit*" follows, and "*judgment*" closes the rear. Here it is not a "*case*," nor a "*suit*," of which the Court takes cognizance, but a "*judgment.*" It is the judgment and the award of another independent court, upon the proceedings of which the law gives neither resort nor appeal to the District Court.

And if the Court do not intend to look into the award of the Solicitor, to ascertain whether it be according to law or against law, what do they mean by calling on the Postmaster General to give his reasons for not carrying it into execution? If they mean any thing by such a call, it must be that they will *consider* the reasons which may be adduced by him, and decide whether they be sufficient or not. Suppose the Postmaster General were to allege that the Solicitor had considered and allowed claims which he was not authorized to allow by the act of Congress from which he derived his authority. If this were true, it would certainly be a good reason for not paying the award. But could the Circuit Court *inquire into their truth?* Whence do they derive the power to inquire or decide whether the Solicitor allowed too much or too little; whether he adhered to the law or transcended the law; whether he awarded to the claimants a just compensation for services actually rendered, or heaped upon them tens and hundreds of thousands, without shadow of contracts or pretence of service? Nothing would seem more plain, than that the Court have no power to call for books and papers, or summon witnesses, or consider statements, with a view of deciding whether the award of the Solicitor be right or wrong. If they have no such power, it is palpable that they cannot make any examinations, and come to any decision which can exonerate the Postmaster General from executing the award, however illegal or monstrous may be the allowances which it sanctions.

Is not this absence of power to *consider* that which may be a good reason for the Postmaster General's refusal to execute the award, the strongest possible proof that the Court have no authority to institute their present proceedings? It will be admitted by all, that if the Postmaster General could show that the award was illegal or corrupt, it would be a good excuse for not carrying it into effect until it could be revised by some superior tribunal. But this Court, not being clothed by law with power to consider those points, has no authority to judge of the legality or reasonableness of the Postmaster General's excuses, although they may be such as not only to justify him, but to entitle him to commendation.

No man will deny that cases may and do arise, in which an executive officer is perfectly justifiable in refusing to perform a specific act required of him by law. In these cases, he is responsible to his superior and to Congress, but not to the Courts. If the Postmaster General were directed by express law to pay $50,000 to a contractor, and should, before doing so, discover that the passage of the act of Congress had been procured by false and fabricated testimony, it would be his duty to refuse payment until the whole subject could be again brought under the revision of Congress. Yet the law might be plain and peremptory in its terms, leaving him no discretion. Might not this Court, upon the principles laid down by them, grant a mandamus to the claimants? Could they, in such a proceeding, *inquire into and revise the act of Congress*, or would they peremptorily order and forcibly compel the Postmaster General to execute the law, the fraud notwithstanding? If he had no "discretion," and they no power of revision, such must be their decision.

Hence it is inferred, that the Court has no jurisdiction of this case in law, and can only obtain what they may exercise by their mandamus; a proof that a writ of mandamus will not lie in such a case.

FOURTH REASON.

The Court have ordered the Postmaster General to perform A LEGAL IMPOSSIBILITY.

A *mandamus* is a command to do a specific act. The specific act ordered to be done in this case is to credit the relators with a full amount of the Solicitor's award. A credit can only be given by an entry upon some book in which their accounts are lawfully kept.

No accounts are kept with contractors in the Post Office Department, nor has the Postmaster General the custody or control of the books in which they are kept. All the accounts of the Post Office Department are kept in the Treasury Department by the Auditor created for that purpose by the act of July 2d, 1836. That officer is appointed by the President and Senate; and so far is he from being dependent on the Postmaster General, that his clerks are appointed by the Secretary of the Treasury. To his office have been transferred long since all the accounts, and the books connected with them, formerly kept by the Postmaster General.

By adverting to the fact that the act for the relief of Messrs Stockton & Stokes, and that to change the organization of the Post Office Department, passed on the same day, the occasion of this practicable discrepancy between them will be understood. The former was drawn with reference to the organization of the Department at the time of its introduction into Congress. Then the Postmaster General kept the accounts, and the entries in the books were his entries. He had the legal power and authority to give a credit to the contractors in this case.—But this power and authority was taken from him by another act on the day the act for their relief passed.—That the act now in question was not altered so as to accommodate it to the change, and require the credit to be given by the new Auditor instead of the Postmaster General, was doubtless an inadvertence; but it is one which the legislative authority alone can correct. As the law stands, the Postmaster General has just as much authority to make entries in the books of the Second, Third, and Fourth Auditors, as he has in those of the Auditor created by the act of 1836.

Hence the Court will perceive that they have ordered the Postmaster General to do that which he cannot lawfully do—to enter a credit or credits on books of which he has neither the custody nor control.

These views the undersigned submits to the Court with much confidence in their soundness. He thinks it is shown:

1. That it is the function of the Executive "to take care that the laws," special as well as general, "be faithfully executed;" and that of the Judiciary to expound such as require it; that to the President of the United States, and not to the courts of justice, belongs the duty of directing and controlling all executive officers in the performance of their official duties; and that when the courts interpose to control them, they assume an executive function, invade the province of the President, and subvert the constitutional assignment of powers.

2. That Congress have not conferred or attempted to confer on the Circuit Court for the District of Columbia authority to issue a writ of mandamus, for the purpose of controlling executive officers in the performance of their duties, whether general or specific; that the Postmaster General is an executive officer; that in the matter upon which this proceeding has originated, he has acted in that capacity; and that he is not lawfully controliable therein by a writ of mandamus.

3. That in the case before the court, the Postmaster General had a clear and undoubted discretion, in the exercise of which he is amenable to no judicial tribunal; and that the Court, having no jurisdiction of the matter in question, either original or appellate, cannot lawfully court and obtain it by a mandamus.

4. That the Court have ordered the Postmaster General to do that which he has no lawful power to do, not having official custody or control of the books on which the credits are commanded to be entered.

In addition to these persuasive considerations, it cannot be forgotten that the power now asserted has been slumbering from the birth of the Constitution; and now, almost half a century from the organization of the Government, is for the first time called into requisition. How was it that Marbury, after his right to his commission was so strongly asserted by the Supreme Court, did not bethink himself of a resort for redress to the Circuit Court for the District of Columbia? Why is it that the numberless claimants whose accounts have been rejected at the Treasury, though asserted by them to be clearly warranted by law, have not applied to this Court for its mandamus to compel the Auditors and Register to give them credits upon their books? Why did not the Bank of the United States, instead of agitating the country and thundering in the Capitol, apply to this Court for its mandamus to compel the Secretary of the Treasury to restore the public deposites, which, it was alleged, had been removed from it in contempt of law and in violation of the Constitution? Have none of these occasions been sufficient to rouse this giant power from its enduring slumber? Are its mighty arms to be flung aloft for the first time in vindication of Post Office extra allowances of doubtful legality and undoubted enormity, which have already been denounced by Congress and condemned by the nation?

The undersigned desists from a theme on which it is not pleasant to dwell. It has been his studied effort to avoid, as far as possible, expressions calculated to wound sensibility or create excitement. The voice of reason alone is worthy of a subject so comprehensive and so grave. If a sentence, or a word, is to be found in this paper which can justly be construed as disrespectful to the Court, or personally reproachful to any one, it has escaped through inadvertence, and conveys a meaning which was not intended.

AMOS KENDALL.
Postmaster General.

JUNE 24, 1837.

OPINION OF THE ATTORNEY GENERAL *in relation to the power of the Circuit Court for the district of Columbia to issue a Mandamus to compel the Poster General to credit Messrs. Stockton and Stokes and others with a certain sum of money.*

ATTORNEY GENERAL'S OFFICE, June 19, 1837.

SIR: I have had the honor to receive your letter of the 7th inst. enclosing a printed copy of the opinion delivered by the Chief Judge of the Circuit Court of the District of Columbia for the county of Washington, upon the application of WILLIAM B. STOKES and others for a writ of *mandamus*, to be directed to the Postmaster General of the United States, and requesting me to examine it and to inform you, whether I find anything therein to change the opinion heretofore expressed by me, relative to the jurisdiction of the Court over the matter now in question.

Pursuant to this request, I have examined the paper referred to me, with the attention and respect due to its author and to the Court of which he is the organ; but, after the fullest consideration which I have been able to give to the arguments contained in it, I still adhere to the opinion, that the Court had no power to issue the writ in question.

The case proposed by you, in your communication of the 29th ultimo, and now presented, relates to the power of the Circuit Court of this District to issue a *mandamus* to the Postmaster General—an *executive officer of the United States*—for the purpose of compelling him to perform an official act, alleged to have been enjoined upon him by a special act of Congress, passed for the relief of the parties applying for the writ. This act treats exclusively of certain claims depending the Post Office Department, and growing out of contracts with that department; it refers these claims to the Solicitor of the Treasury for settlement; and it directs the Postmaster General to credit the contractors with whatever sum of money, if any, the Solicitor shall decide to be due them. The duty imposed by this law is therefore, in every sense, an official duty; it relates to the business of his Department; it is imposed on him by his name of office. The Solicitor of the Treasury has made an award, by which he decides that certain sums of money are due to the contractors, and the Postmaster General has credited them with a part of these sums; but, for reasons satisfactory to his own judgment and sense of duty, has refused to credit the balance, until directed so to do by a further act of Congress. The contractors have applied to the late President of the United States to take order, by virtue of his constitutional duty to see the laws faithfully executed, for the crediting of the balance; but, being satisfied with the course of the Postmaster General, he declined making any such order, and referred the parties to Congress for further legislative directions. The like application has been made to the present Chief Magistrate who deemed it inexpedient to interfere with the disposition of the subject made by his predecessor; and the parties now apply to the Circuit Court of this District for an order, in the form of a writ of mandamus, to the Postmaster General, to credit and pay the balance of the Solicitor's award, on the ground that this is a mere ministerial act, to the performance of which the applicants have a fixed legal right, under the act of Congress as it now stands, and for which they have no other adequate legal remedy. The Court has so far adopted these views as to issue an *alternative* mandamus, commanding the Postmaster General to give the *credit* applied for, or to show cause why he has not done so; but it has reserved the question whether the *mandamus* shall issue to command the *payment* of the balance, for further consideration, when the result of the first writ shall have been ascertained.

In my former communication it was shown, that according to the decisions of the Supreme Court of the United States, in the cases of McIntyre vs. Wood, (7 Cranch, 504,) and McClung vs. Silliman, (6 Wheaton, 598,) the circuit courts of the United States, out of the District of Columbia, have no jurisdiction, under the laws now in force, to issue a writ of mandamus to an officer of the executive department; and the opinion was expressed, that the acts of Congress organizing the Circuit Court of this District and regulating its jurisdiction, though they conferred some powers not delegated to the other circuit courts, did not in express terms, or by any general grant of power, authorize it to issue a writ of mandamus to an executive officer of the United States; and therefore, that its jurisdiction, in this respect, was the same with that of the other circuit courts.

The character and effect of the decisions referred to, as to the other circuit courts, and the necessity of proving, before the writ applied for can be issued by the Circuit Court of this District, that Congress have conferred on it a jurisdiction, in this particular, not possessed by those courts, are fully admitted in the opinion before me; and the Court would doubtless have come to the like conclusion with me, had it taken the like view of the acts of Congress regulating its jurisdiction. The opinion maintains, that the *power and jurisdiction conferred on this* Court are much more comprehensive than those possessed by the other circuit courts, and sufficiently so to include the power in question. To establish this, a comparison is instituted between the acts of Congress relative to these courts; and the result of this comparison, aided by inferences and reasonings thereon, drawn from the language of the Supreme Court in the cases referred to, is supposed to be in favor of the jurisdiction claimed by this Court.

The result in my opinion, is directly the reverse.

The power and jurisdiction of the ordinary circuit courts of the United States, so far as regards this subject, depends on the following clauses of the 11th and 14th sections of the judiciary act of 1789.

The 11th section provides "that the circuit courts shall have original cognizance, concurrent with the courts of the several States of all *suits* of a civil nature, at common law, or in equity, where the matter in dispute exceeds, exclusive of costs, the sum or value of five hundred dollars, and the United States are plaintiffs or petitioners; *or* an alien is a party, *or* the dispute between a citizen of the State where the suit is brought and a citizen of another State."

The 14th section enacts, "that all the before mentioned courts of the United States shall have *power* to issue writs of *scire facias, habeas corpus*, and all *other writs* not specially provided for by statute, *which may be necessary for the exercise of their respective jurisdictions, and agreeable to the principles and usages of law.*"

On these provisions, the Supreme Court held, in the case of *McIntyre* vs. *Wood*, (7 Cranch, 504,) that the Circuit Court of Ohio did not possess the power to issue a *mandamus* to the Register of the Land Office.—The power of the circuit courts, under the general words of the 14th section, to issue writs of *mandamus* in some cases was not denied; but it was held, that the power was confined exclusively to cases in which the writ might "*be necessary to the exercise of their jurisdiction.*" By this was meant, as explained in the subsequent case of *McClung* vs. *Silliman*, (6 Wheaton, 598,) that the *mandamus* can only be issued "in cases where the jurisdiction *already exists*, and not where it is to be *courted or acquired by means of the writ proposed to be sued out.*"

The powers and jurisdiction of the Circuit Court of the District of Columbia, so far as regards the present question, are conferred by the 3d and 5th sections of the act "concerning the District of Columbia," approved Feb. 27th, 1801.

The material part of the 3d section is as follows: "That there shall be a Court in the said District, which shall be called the Circuit Court of the District of Columbia; and the said court, and the judges thereof, shall have all the powers vested in the circuit courts, and the Judges of the circuit courts of the United States.

The 5th section is in the following words: "That the said court (the Circuit Court of the District of Columbia) shall have cognizance of all crimes and offences committed within the said District, and of all cases in law and equity between prrties, both or either of which shall be resident, or shall be found within the said District; and also of all actions or suits of a civil nature, at common law or in equity, in which the United States shall be plaintiffs or complainants; and of all seizures on land and water; and all penalties and forfeitures made, arising or accruing under the laws of the United States."

On the latter of these sections, (the 5th) Judge Cranch holds that it confers on the Circuit Court of the District of Columbia a jurisdiction not given to the other Circuit Courts, which may be enforced by the writ of *mandamus*, whenever such a writ is necessary to the exercise of that jurisdiction. This view of the case appears to have been suggested by the following remarks of Mr. Justice Johnson, in the case of *McIntyre* vs. *Wood*: "Had the 11th section of the Judiciary act covered the *whole ground of the Constitution*, there would be much reason for exercising this power (the power of issuing writs of *mandamus*) in many cases wherein some ministerial act is necessary to the completion of an individual right, arising under the laws of the United States, and the 14th section of the same act would sanction the issuing of the writ for such a purpose. But although the judicial power of the United States extends to cases arising under the laws of the United States, the Legislature have not thought proper to delegate the exercise of that power to its Circuit Courts, except in certain special cases."

In order to bring the case within these remarks, Judge Cranch argues that the 5th section above quoted, *has covered the whole ground of the Constitution of the United States*, and much more, except as to certain cases not material to the present discussion; and that, with such exception, the Circuit Court of the District of Columbia has cognizance of *all cases* in law and equity, *whether arising under the Constitution or laws of the United States*, or under the adopted laws of Virginia and Maryland, *with the only condition that one of the parties shall be resident or found within the District*; and that the Circuit Court of the District of Columbia is therefore, "*in that condition*" of which Mr Justice Johnson speaks. He also argues, chiefly on the authority of a part of the opinion of Chief Justice Marshall, in the noted case of Marbury *vs.* Madison, (1 Cranch, 163,) that the act of Congress for the relief of the relators, directs the performance, by the Postmaster General, of a mere *ministerial* act; that the right of the relators, and the obligation of the Postmaster General, are clear and absolute; that the refusal of the latter to perform the act, makes a *case* in law, of which the Court has jurisdiction; that the only appropriate remedy is by writ of *mandamus*; that this writ is therefore *necessary* to the exercise of the *jurisdiction* of the Court; and that the Court has not only the power, but is bound, to issue it.

The whole of this argument rests on the assumption that if the grant of jurisdiction covers the whole ground of the Constitution, it will include the power to issue a writ of *mandamus* to an *executive* officer, commanding the performance of an official act, provided the Court shall be of opinion that such act is merely *ministerial* in its nature—an assumption inferred by the Court, from the above quoted remarks of Judge Johnson. I shall hereafter have occasion to show, that the existence of such a jurisdiction in any of the courts is incompatible with the distribution of the powers of Government made by the Constitution, and with the separate and independent authority vested by it in the President; but before entering on that subject, some objections of a minor, but perhaps not less decisive, nature, may be mentioned.

1 The above quoted observation of Mr. Justice JOHNSON was not necessary to the decision of the case of *McIntyre vs. Wood;* and the use now made of it by the Circuit Court appears to be repugnant to the opinion of the same Judge in the case of *McClung* vs. *Silliman*, and to the judgment rendered in the latter case.

The existence of this objection is fully admitted by Chief Justice CRANCH, in the following remarks:

"But although we have shown, as we think, that even under the opinion of the Supreme Court, in *McIntyre* vs *Wood*, this Court has power to issue a writ of *mandamus* in the present case, yet it may possibly be objected that our argument is founded upon inferences drawn from the language of that opinion, which inferences Mr. Justice JOHNSON, in the case of *McClung* vs. *Silliman* (6 Wheaton 598) repudiates."

Let us see how the objection is gotten over.

In the first place it is suggested that "the only point *decided* in the case of *McClung* vs. *Silliman*, was, that a *State* Court cannot issue a *mandamus* to an officer of the United States;" and the remarks of Judge Johnson, repudiating the inferences referred to, are therefore treated as unnecessary to the decision of the cause.

If this were so, it might still be replied, that the *obiter* remarks of the judge who delivered the opinion of the Court, repudiating inferences drawn from *obiter* remarks of the same Judge in a former case, are abundantly sufficient to meet an argument founded on such inferences.—But I think it will be seen, on comparing Judge Johnson's statement of the facts with subsequent parts of his opinion, that the case presented another point which directly called for the remarks in question.

Mr Justice JOHNSON says—"The plaintiff in error, who was also the plaintiff below, supposes himself entitled to a pre-emptive interest in a tract of land in the State of Ohio, and claims of the Register of the land office of the United States, the legal acts and documents upon which such rights are initiated. The officer refuses, under the idea that the right is already legally vested in another; and that he possesses, himself, no power over the subject in controversy. A *mandamus* is then moved for in the Circuit Court of the United States, and that Court decides that Congress has vested it with no such controlling power over the acts of the ministerial officers in the given case. The same application is then preferred to the State Court for the County in which the subject in controversy is situated. The State Court sustains its own jurisdiction over the Register of the land office; but, on a view of the merits of the claim, dismisses the motion. *From both these decisions* appeals are made to this Court in form of a "writ of error." He then refers to the decision in McIntyre *vs.* Wood: says the influence of that decision on the *cases* before the Court, is resisted on the ground that it did not then appear that the controversy was between parties, who, under the *description of person*, were entitled to sue in the Circuit Court of the United States; and that "it is now contended, that as the parties to this controversy are competent to sue under the 11th section, *being citizens of different States*, that this is a case within the provisions of the 14th section, and the Circuit Court was vested with power to issue this writ, under the description of a writ specially provided for by statute, but *necessary for the exercise of its jurisdiction.*"

It thus appears that, besides the question concerning the power of the State court, the question whether the Circuit Court of the United States for the State of Ohio could issue a *mandamus* to a Register of the land office, to decide conflicting claims to a certificate of purchase, one claimant being a citizen of Ohio, and the other a citizen of another State, was also submitted for decision. The argument of the plaintiff's counsel in support of such a jurisdiction, like that of the Circuit Court of this District in the present case, was founded on inferences drawn from the language held by Judge Johnson in the case of *McIntyre* vs. *Wood*. The Judge notices it at length; rejects, in the most decided manner, the inferences on which it rested; and thus disposes of that part of the case which related to the proceeding before the Circuit Court.

Another answer to the anticipated objection is, that the Circuit Court of this District has cognizance of *all cases in law and equity*, however arising, between parties, both or either of which are resident or found within the District—a position constantly insisted on in the opinion, and which I propose to examine under the next head.

2. Admitting, for the sake of argument, that the construction given to the language of Judge Johnson in the cases referred to, is the correct one, and that the argument founded on it is sound in principle, still the present case cannot be distinguished from those decided by the Supreme Court, because there is no essential difference between the 5th section of the act "concerning the District of Columbia" on which the Circuit Court relies for its claim of jurisdiction over all cases in law and equity, however arising, and the 11th section of the judiciary act of 1789, which prescribes the jurisdiction of the other courts.

The material words of the 5th section, omitting other classes of cases, are, that the Circuit Court of this District shall have cognizance "*of all cases in law and equity between parties both or either of which shall be resident, or shall be found within the said District.*

Those of the 11th section, omitting value and alternative cases, are, that the Circuit Courts of the United States shall have cognizance "*of all suits of a civil nature at common law or in equity, where the dispute is between a citizen of the State where the suit is brought, and a citizen of another State.*"

Except that in the other circuit courts, it is requisite, that one party should be a citizen of the State where the suit is brought, and the other party a citizen of another State, and that in this District it will be sufficient if either of the parties be resident or be found here, there would seem to be no substantial difference between the two provisions. Indeed, unless the phrase "*all cases* in law and equity" used in the one case, means something different from "*all suits of a civil nature* at common law or in equity," used in the other, it is certain, that there can be no such difference, and consequently that the power and jurisdiction of the Circuit Court of this District, in regard to the writ of *mandamus*, so far as depends on the *fifth* section above quoted, are precisely the same with those of the other Circuit Courts.

It may be inferred from the opinion of the Circuit Court, that the former of these phrases was supposed to mean something more comprehensive than the other, and so much more so *as to cover the whole ground of the Constitution*, which it was adjudged, in *McIntyre* vs. *Wood*, that the other phrase did not do. No reason is very distinctly assigned for this distinction; but it appears to rest on the use of the word "*cases*," in that clause of the Constitution which provides that the judicial power of the United States "shall extend to all *cases* in law and equity under the Constitution and laws of the United States, &c." But according to the Supreme Court of the United States, and to the opinions of other expositors of the Constitution, the word "*case*," in this section, means neither more nor less than the word "*suit.*" Mr. Justice STORY, in his commentaries (vol. iii, p. 507) in answer to the inquiry what constitutes a *case* within the meaning of the clause, remarks, that "a case, in the sense of this clause, arises when some subject, touching the Constitution, laws, or treaties of the United States, is submitted to the Courts by a party, who asserts his rights in a form prescribed by law. In other words, a case is a *suit* in law or equity, instituted according to the regular course of judicial proceedings; and when it involves any question arising under the Constitution, laws, or treaties of the United States, it is within the judicial power confided to the Union." And for this, he cites the decisions of the Supreme Court and other authorities. On the other hand, the Supreme Court held, in 2 Peters, 464, that the word "*suit,*" used in the 25th section of the judiciary act, applies to any proceeding in a court of justice, by which an individual pursues that remedy in a court of justice which the law allows him. It seems therefore to be settled, that the words are substantially convertible terms, the one referring to the *subject matter* of a judicial proceeding, and the other to the *proceeding* on such subject matter.

The words of the two acts being substantially the same, can there be any difference in their legal effect? And if the words used in the 11th section of the act of 1789, *do not cover the whole ground of the Constitution*, and therefore *do not authorize* the issuing of a *mandamus* to an executive officer of the United States as an original remedy, as has been adjudged by the Supreme Court, how, without overruling the decisions of that court, can words of precisely the same import in the 5th section of the act of 1801, be held *to cover the whole ground*, and *to authorize* the issuing of such a writ?

It may be admitted, that under the words above quoted from the fifth section, taken in connection with the *first* section of the same act, which declares that the laws of Virginia and Maryland, as they existed at the date of the act, *shall continue and be in force* in the parts of the district ceded by those States respectively, the Court may lawfully issue writs of *mandamus*, even as original process, in all cases, arising between individuals, both or either of whom are resident or may be found within the District, in which by the law of Virginia, or of Maryland, as the case may be, such writs could be issued. If this be so, as I incline to think it is, it is because this remedy existed as a part of the adopted local law, which is declared to remain in force, and to which, for the purpose of this remedy, the jurisdiction of the Circuit Court is attached. But it is impossible to acquire any such jurisdiction, in this way, over the officers of the United States in their official capacities, because in those capacities they were never subject to the laws of Virginia or of Maryland; nor did those laws ever include, nor could they confer, any jurisdiction over them by *mandamus*, or otherwise.

Officers of the United States cannot *sue in their names of office, except when expressly authorized* so to do by act of Congress; and the like legislative provisions is necessary to render them holden in their official capacities, to the process of the courts. No such provision is found in the act concerning the District of Columbia.

It is also worthy of remark, that, notwithstanding the strong opinion of Chief Justice MARSHALL, in the case of *Marbury* vs. *Madison*, in favor of the right of the applicant to a remedy by *mandamus* in any court possessing jurisdiction, no proceeding in the Circuit Court of this District appears to have been instituted, or to have been thought of by the parties or their counsel, though the Court then possessed precisely the same power, in this respect, which it possesses now, and though all the parties were residents of the District. This omission, under all the circumstances, proves very clearly that the jurisdiction now claimed was not then supposed to exist. Instances have no doubt frequently occurred since that period, in which individuals have deemed themselves aggrieved by the action of the executive officers, in cases affecting the rights of such individuals; but this appears to be the first application ever made to the Circuit Court of the District for a remedy by *mandamus*. After the most careful examination of various provisions of the act of 1801, "concerning the District of Columbia," I find nothing in those provisions to authorize the application of *such a remedy.*

3. In subsequent part of the opinion, the claim of jurisdiction is defended on another ground. "Our *powers*," say the Court, "are given by the third, and our *jurisdiction* by the fifth section of the act of the 27th of February, 1801;" and after quoting the third section, (copied above,) the opinion suggests, that the only circuit courts and judges of the circuit courts existing when the act of the 27th of February, 1801, was passed, were those ordained and established by the act of Congress of the 13th of February, 1801; that the tenth and eleventh sections of that act were far more comprehensive than the act of 1789, organizing the former circuit courts, and covered the whole ground of the Constitution; and that if they had been in full force when the case of *McIntyre* vs. *Wood* arose, the decision in that case would probably have been different; and the proposition is advanced, that "although the act of February 13th, 1801, was repealed by the act of 1802, *yet the repeal did not in any manner, affect the the powers or jurisdiction of this Court, given by the act of the 27th of February*, 1801."

From the subordinate place assigned to this argument, it does not seem to be much relied on by the Court; and, in my judgment, it is wholly untenable.

[TO BE CONCLUDED TO-MORROW.]

BOSTON MORNING POST.

THURSDAY, JULY 20, 1837.

NOTICE.—A meeting of the Democratic County Committee of Suffolk, will be held at Concert Hall on Friday evening, the 21st inst., at 8 o'clock. A punctual attendance is requested. P. DUNBAR, *Chairman.*
S. J. THOMAS, *Secretary.*

The Mandamus Case.—We have received a pamphlet containing the letter of the Postmaster General to Judge Cranch, Chief Justice of the Circuit Court for the District of Columbia, together with the opinion of the Attorney General in reference to the power of that court to control Executive officers of the U. S. in the performance of their official duties; also containing an exposition of the reasons of the Postmaster General for refusing to execute a part of the award of the late Solicitor in favor of Stockton, Stokes and others. All these important papers are now in course of publication in our columns. They should be carefully read by the American people. Similar attempts were made by the Judiciary to usurp Executive powers when Mr. Jefferson and Mr. Madison were in office, but they were successfully resisted by these inflexible republicans, and the people sustained them in their resistance; the people will also sustain the present Executive in following the course pursued by Jefferson and Madison.—The N. H. Gazette, in speaking of the conduct of the court, says—

"This assumption in behalf of the relators to settle the ground of their claim, is absurd enough in itself, but is of little consequence to the public, when compared with the claims which a portion of the Judiciary have set up to control the Supreme Executive of the Union, a branch of the government constitutionally as independent of the Judiciary, in its official capacity, to say the least, as the Judiciary is of the Executive. If there be a power "installed for life and responsible to no authority short of impeachment," whose duty it is to control the supreme Executive, and to set bounds to his official acts, where is this to end? Might not the Executive power be as well placed at once in the hands of the Chief Justice, and thus have a President for life *de jure* as well as *de facto*, and forever after dispense with Presidential elections? Of what use is an Executive, more than a mere automaton, if a superior power, not dissimilar to that of the Roman pontiff, may at will interpose and arrest its arm,—point out its line of duty, and dictate the manner in which it is to be performed? If there be such a power it appears to us that this is the crisis in which the subject will be brought fairly before the people, and if they are now to find that they have constitutionally erected and installed such a power for life when they supposed they had established the three great branches of the government, viz. the Legislative, the Executive, and Judiciary, as co-ordinate and independent of each other, it will be time to apply a remedy or to give up their elective control."

The Mandamus Case.—The National Intelligencer states that the Postmaster General has taken an appeal from the judgment of the Circuit Court in the case of Mandamus, to the Supreme Court of the United States, and entered into bonds on Saturday last for the prosecution of the appeal.

The Exploring Expedition.—We have never believed it the intention of the Secretary of the Navy to defeat, or embarrass, by unnecessary precautions, this national enterprise. He has had difficulties to contend with of which the public may not be fully aware, and which will, when understood, go far to exonerate his official conduct from those charges brought against him, in many instances, by popular ignorance and private hostility.

The commander of this expedition embarrassed it, almost irretrievably, in its first stages, by peremptorily insisting on the right to appoint its officers, and, in pursuance of this unprecedented assumption of power, objecting to the appointments of Lieutenants Slidell and Wilkes. The injustice done these meritorious officers naturally aroused the resentment of their companions, and the result is, that very few officers of that grade can be induced to go under the present circumstances. Were the ships, in all other respects, ready to sail to morrow, they are not half officered, nor can they be completely provided for in this respect, unless officers are forced under the command of one whose official deportment has excited a strong prejudice against him. It would, indeed, be unjust to hold the Secretary accountable for results brought about solely by the arrogance and vanity of others.

Nor ought the Secretary, in our opinion, to be held responsible for any delays growing out of the questionable fitness of the Barques for the enterprise. They were built without any instructions from him that could possibly affect their character; nor were the skill and experience of the Board of Commissioners officially consulted in their architecture. They were planned and built under the special instructions of Capt. Jones, and if unfit for the service intended, he, more than all others, is responsible. As for their qualities, Capt. Tattnall is the only officer who has fully brought them to the test of experiment, and his decision was sufficiently unfavorable to compel his own resignation. His experience was, indeed, confined to one of them; but they have both the same model, and so far as their merits are concerned, must share the same sentence.

The Board commissioned to examine them—consisting of the most experienced officers in the Navy—will soon report on their merits,—and, till then, let the public suspend their judgment. Should this report confirm that of Capt. Tattnall, the censures cast on the Secretary for the delays necessarily connected with this examination, will appear worse than misplaced. The fate of an expedition of this kind, and especially of so many valuable lives, ought not to be put at issue upon any unnecessary experiment. There are uncertainties and dangers enough, inseparable from the enterprise, without our enhancing them by our own imprudence and folly.

Mr Barnabas Bates has issued proposals for publishing a new democratic paper in New York, to be called "The Daily News." Mr Bates has long been known as an able writer and a staunch democrat, and we wish him all success.

Mr Haggerty, in his action of libel against Bennett, said that B. had accused him of coming into the country without breeches—this was true, for he was born in New Jersey, and it is not customary there for young gentlemen to make their *first* appearance in breeches.

Mr Gouge went out of his way in his late pamphlet on the currency to rap Mr Whitney over the knuckles, for which Mr Whitney has published a letter in the Globe, giving Mr Gouge "full as good as he sent."

A ruffian who gave his name as Abraham Winner, lately murdered a young gentleman at Columbus, Ohio, with whom he was disputing, by stabbing him with a dirk-knife.

A Bull.—A Quack doctor, who had invented a remedy for sore eyes, headed his advertisement, "Let every blind man look at this!"

The Pennsylvania Reform Convention sat sixty-two days, and effected nothing.

The great ship was to have been launched at Philadelphia on Tuesday last.

MILFORD DEMOCRATIC CELEBRATION.

The 61st anniversary of American Independence was noticed by the republicans of Milford with appropriate manifestations of respect, though they had intended to let it pass in silence until a day or two previous to its approach. But notwithstanding the shortness of the time for preparation, it was conducted in a manner highly satisfactory to all present, and evinced no decline of devotion to the cause of freedom and democracy. Union and harmony of feeling and sentiment characterized their proceedings. The Oration was delivered with energy and feeling. It was replete with touching pathos and good sense. The situation of the country was brought to view previous to the Declaration of Independence;—the causes which led to it;—and the establishment of peace. Then tracing the history of the country down to the present time, briefly alluding to the last war, the orator closed by noticing some of the leading political topics of the day, and calling upon his hearers, as citizens of the United States, to be, as were their fathers, ever vigilant in defence of their rights, and unwavering in their opposition to the unjust, unequal, and ruinous measures of the aristocracy. Much interest was added to the occasion by the excellent performances of the music, which consisted of the Milford choir, assisted by Col. Newhall and others of Boston. The performances at the church were as follows:—

1. Introductory by the Choir.
2. Prayer by Mr. Morse.
3. Ode sung by the Choir.
4. Reading of the Declaration by Andrew J. Sumner.
5. Ode, sung by Mrs. Baker of Boston.
6. Oration by Mr. Morse.
7. Closed by the Choir.

After which, under the direction of the Marshals, Majors J. Corbett and O. Underwood, the company proceeded in procession from the church to the Hall, where they partook of a splendid entertainment. And though Mr. Cook, their host, had but a short time for preparation, yet it was done up in good style, in both quantity and quality. After the dishes were removed the following regular toasts were read by the Toastmaster, Capt. Henry Nelson:—

1. The Day we celebrate—May its mention ever fill the bosom of the American citizen with the purest flame of patriotism and devotion to country.

2. The Constitution of the United States—Framed to protect alike the rich and the poor, and not an exclusive few—though it has lived nearly to the age of man, yet may time develope the truth, that it is still in its infancy.

3. The President of the United States—He has contended bravely for the people, triumphed over treachery and intrigue, and now gloriously leads the Van.

4. The Vice President of the United States—The brave soldier and experienced statesman.

5. Gen. Jackson—Having retired from the Presidency of the United States, may the services he has rendered his country yield him pleasure and satisfaction during the remainder of his life.

6. Our Post Master General—A trustworthy business man; he merits our gratitude for the many improvements he has made, but especially for detecting the *unreasonable speculation* for unreasonable extra services.

7. The heads of the various departments of the General Government—May they perform their several duties according to the literal construction of the Constitution.

8. Daniel Webster—The disappointed office seeker—like a ship wrecked on a rock, masts broken, rigging torn to pieces, and hull cracked. May he learn that the people prefer a man of true principles to stand at the helm of our country.

9. Hard times—what shall we do? Bear up like men under the unjust measures of the *monopolizing aristocracy*, until they shall be counteracted, and the ship currency righted.

10. The good old ship Massachusetts—Her sails are shivering in the wind—we think the November breeze will bear her away to join the Democracy of the Union.

11. The American Countersign—Measures not men—money not paper.

12. Our Army and Navy—Faithful sentinels upon our watch tower.

13. The Ladies—Ever anxious to alleviate the cares of those who delight in protecting them—why should we exclaim *hard times*, when we have such fair—(fare.)

After the regular toasts, the following volunteers were given:—

Esq. Hunt, the President of the day, being called upon, arose, and after expressing his satisfaction in meeting again so many of his fellow citizens in honor of the interesting occasion, gave the following sentiment—

The Farmers—May they be prosperous and happy.

Capt. H. Nelson—H. Clay, J. C. Calhoun and D. Webster the god-like—three disappointed politicians; they have run hard for the Presidential chair, but the people say no, we won't have these men to rule over this nation.

O. Underwood —Marcus Morton—A tried friend of democracy, may he soon stand at the helm of the ship Massachusetts, and guide her safe into port.

Orator of the day —The gentlemen and ladies present—I am somewhat a stranger in your midst, yet I am happy in this manifestation that you are not insensible of your duty to your country, nor of the gratitude due to our patriotic fathers.

Col. S. Sumner.—The Boston Statesman and Morning Post—Uncompromising defenders of sound democracy.

Hiram Bent.—Whiggery and Aristocracy—two twin sisters, used as a pair of political wheels to roll demagogues into office.

The President.—Let all do something in order to produce something; by this means all will have something.

Col. Sumner.—Democracy—May its course be onward, and Massachusetts soon embrace its principles.

Handed in for publication.—Stopping specie payment—The struggles of monopoly to sustain itself in its unjust policy.

A. Hunt.—The memory of those heroes who exhausted life and encountered death to secure the triumph of that freedom in which we this day rejoice—may it be ever cherished by a grateful people.

Many other toasts were given which were not handed in.

The Fourth of July was celebrated at Columbus, Ga., with great glee. Among the guests was Gen. Lamar, Vice President of Texas. The Columbus Herald says—

"After the cloth was removed, Gen. Lamar being called to the floor by the complimentary character of the fourth regular toast, addressed the company in a speech of great length, which was delivered with all the fire of enthusiasm, and replete with thoughts of burning eloquence, elegant and classic in its diction, easy and graceful in its style, presenting a subject for contemplation full of deep feeling and high excitement; accurate and instructive in its historical recollection of the infant republic of Texas, and bedecked with beautiful, rich flowers of poesy, springing luxuriantly from a fertile and brilliant imagination, it caught the ear, bewildered the spirit, rapt the fancy and swung from their accustomed moorings the entire faculties of the hearer,—so that he yielded himself the wild, but willing captive to the spirit of eloquence."

If Mr Webster's flatterers can beat this they will do well. The following sentiment was offered by Gen. Lamar:—

The Blood of Goliad and the Alamo: The hand that spilt it wrote "TEKEL" on the walls of Mexico.

The following were drank in response—the last is in the true horse-and-alligator spirit:—

By Thomas G. Gordon. Our distinguished Guest, the Vice President of Texas: His honor, his virtue, his chivalry, is equalled only by the irresistible charms of his eloquence.

By Wiley E. Jones. Mirabeau B. Lamar, Vice President of Texas: Jack-screw of his adopted country and wheel-horse of the same—may he live until he dies.

"Tug" to "Nat" will be out in a day or two. Look out "Nat."

Deaths by Lightning.—Two children of Mr Henry Lentz, of Turbet township, Pa. a son and a daughter, aged eight and ten years, were struck by lightning, and instantly deprived of life, on the 5th inst.

MUNICIPAL COURT.

Alleged Fraud on an Insurance Office—Continued.—State v. S. & A. B. Drake, of North Bridgewater.—*Tuesday.*—It was proposed for the defence, to prove by Mr Cross, of North Bridgewater, that Simeon Drake after having had an interview with Mr Cartwright, of the Manufacturers' Insurance Company, made certain declarations, showing the construction he had put upon Mr Cartwright's request to get copies or duplicates of his bills of purchases. This evidence was objected to by Mr Parker, and ruled out by the Court.

William Hill—2d cousin of defendants—when the store in North Bridgewater was first opened, I was employed there—late in November, went with Simeon Drake to purchase goods in Charles Covell's store—helped select some silks—Mr Drake purchased a large bill, and paid for it. Can't tell how much the bill was for; can't say whether it was over $20, or not. The business was transacted with *Merrill*, the witness who was on the stand yesterday.

Thomas Packard—of North Bridgewater—had been in Covell's store, when Merrill was there, and had seen S. Drake purchase goods, which were put up in a package, and directed to "S. & B. Drake."

Mr *Hopkins*, of the firm of Sumner & Hopkins, testified that the defendants applied to them for a general statement of their dealings with them, which was furnished.

Mr Choate, for the defence, made two principal points—first, that there was not a particle of proof that the defendants had obtained a cent from the Insurance Company, which was not their due; and secondly that the natural presumption from all the circumstances was that Mr Cartwright only required such memoranda as would enable him to estimate the loss he had sustained by the fire.

Mr Parker, argued, that when the defendants handed into the Insurance office their pretended bills of parcels, that they claimed the whole insurance of $3,400; and that they had taken the names of persons of whom they had made purchases, and made out bills in their names, and to a little truth added an immense amount of falsehood to swell and exaggerate their exhibit of loss.

Judge Thacher charged the jury generally upon the facts, which bore unfavorably upon the prisoners; but still if the jury should be of opinion that they had only acted indiscreetly, and without any intention of committing a fraud upon the Insurance Company, then they must be acquitted.

The jury went out at 6 o'clock, and at 7 the Court adjourned, without receiving the verdict, if any were found.

From the Philadelphia Gazette.

TWO DAYS LATER FROM LIVERPOOL.

By the packet ship Pocahontas, which left Liverpool on the 8th June, we have received Liverpool papers of the 8th and London of the 7th ult.

No later news from the United States had arrived previous to the P's. sailing. The intelligence of the suspension of specie payments by the banks had not been received.

Another large American house had stopped payment at London, name not given, and several heavy failures are announced at Liverpool, the names of which are not reported.

The report of the failure of the Bank of England to pay specie, is premature.

Liverpool Cotton Market, June 7th—There has been a good demand since last week. Friday's sales were particularly large, and in some instances an advance of ⅛ to ¼ per lb took place, but on Saturday the unfavorable news from London had the effect of neutralizing the advance.

The accounts of Thos Wilson & Co., exhibit a balance to meet private loan of 406,000*l.* and capital of £678,000. Of T. Wiggin & Co., to meet private loan of £200,000 and capital £484,400. Of Wildes & Co., to meet private loans of 312,000*l* and capital, £578,000.

Shocking Casualty.—Edward Carroll, formerly of Charleston, S. C., died at Barnwell on the 11th inst. The occasion of his death is thus related in the Charleston Courier. He had been appointed to deliver the Fourth of July oration, in the neighboring town of Aikin. At day-light, on the 3d inst., he entered his sulkey, with the intent to start for Aikin, but scarcely had he seated himself, when his horse dashed off, and after running about 130 yards, brought the sulkey in contact with a tree. The shock threw Mr Carroll out upon one of the wheels, and his legs became entangled in the spokes; and the horse continuing to run, Mr C. was whirled round six or eight times, his head striking each time against the ground, which was very hard. In this situation he was kept until his leg was snapped off, and the spokes of the wheel breaking at the same time, he became disentangled from the sulkey. It was so early in the morning that few of the villagers were up; but the noise soon brought many to the spot to sympathise with and aid the sufferer. Mr C. was then in possession of his senses, and continued so for several hours afterward. His leg was immediately set, and everything was done, which skilful medical assistance, and numerous friendly attentions, could devise. All was, however, in vain. The severe contusion of his head brought on a fever of the brain, and after lingering in a state of insensibility for seven days, he breathed his last at one o'clock on Sunday afternoon last.

Melancholy Occurrence.—On Tuesday night last, Dr William A Finley, of this borough, terminated his life by throwing himself from a window in the third story of his dwelling, upon the pavement, while in a state of temporary derangment. Dr Finley was a man of talents, education and skill as a physician, and has added another to the long list of those whom nature designed for eminent usefulness in their day and generation, but who have fallen victims to that arch enemy of the human race, that seems to delight in quenching the fire of genius and blighting earth's fairest ornaments.—*Chambersburg, Penn. Whig, July 14.*

The City Government.—Every individual in the *Councils* of the city, as well as most of the officers in its service, are bound by *solemn oath*, duly administered, to execute such laws as are in force, or such as may be constitutionally enacted thereafter; so long therefore as the Mayor, Aldermen, Common Councilmen, City Solicitor, Marshal, and other executive officers continue in office, they are responsible for the exact fulfilment of their duty, and their whole duty, according to the *Laws*, however unpleasant such enforcement may be, or violate both duty and OATH!—*Mercantile Journal.*

Disgraceful.—We learn that there was a large collection of men and boys on the Common last night, whose behavior was anything but quiet and orderly. They afterward passed through Beacon street, and stopped before the dwelling house of the Mayor—and gave vent to their feelings in hisses and groans. They also committed other outrages on the peace and quiet of the community.—Such conduct deserves the unqualified reprobation of every good citizen.—*Ibid.*

Fire and Incendiaries.—The alarm of fire last night was from an out building connected with the dwelling house of W. Prescott, in Bedford street. It is supposed to have been set on fire. The damage was trifling.

An attempt was also made to set fire to a building, connected with the dwelling house of Elijah Mears, Cook Court—much pains appear to have been taken to ensure success—but Mr Mears happily discovered it in season to extinguish it without giving an alarm.—*Ibid.*

The Incendiaries are at their diabolical work again—and at this juncture it behoves every good citizen, to come forward, and support the Mayor, in his attempts to restore order, and preserve the efficiency of the fire department.—When the alarm is given—turn out—and prove yourselves *working men.*—*ibid.*

Robberies at the West.—The St. Louis Republican says, "The store of Messrs Glasgow, Shaw & Tatum, was entered by thieves on Monday evening last, the iron chest unlocked with a small key, and about $20,000 taken. A part of the money was in specie—the remainder in current and uncurrent bank bills." Another robbery was committed at St Louis, on the morning of the 3d inst. in the store of Mr Wilmington, corner of Maine and Myrtle streets.—About $700 were taken. These depredations are of nightly occurrence in St Louis.

The Law Journal for July, is a very able number, and should be in the hands, not only of the profession, but of all who wish to liberalize the law, and make it an efficient, useful and popular institution. The principal article in the Review, is a disquisition on the Common Law, which must have emanated from the mind of L. S. Cushing, Esq. one of the able and liberal editors of the Journal. It deserves a more extended notice than we have time to give, but we commend its perusal to all who feel any interest in this great subject.—*Advocate.*

BY AUTHORITY

Of the Standing Committee of the Board of Commissioners of the Associated Banks in Boston.

Condition of the Boston Banks, omitting Massachusetts, Franklin and Lafayette Banks, at the close of business, July 15, 1837.

Capital,	$20,400,000 00
Circulation, after deducting the bills of Banks held by each other,	1,760,481 00
Individual Deposites,	6,080,818 48
Specie,	946,731 87
Amount of Loan,	33,692,499 72

THOS DROWN, Clerk.

At a meeting of the Board of Commissioners of the Associated Banks, this day, it was unanimously

Voted, That the Associated Banks do not approve of the issue of bills of dollars and fractional parts of a dollar, on the same bill; believing the same to be contrary to the spirit of the charter—and accordingly recommend to the Associated Banks not to receive the same.

July 19, 1837. T. DROWN, *Clerk.*

Lower Canada.—Lord Gosford has issued his proclamation, calling the Parliament of Lower Canada together on the 18th day of August next, for the despatch of business.

BRIGHTON MARKET—Monday, July 17, 1837.

[Reported for the Daily Advertiser and Patriot.]

At market, 400 Beef Cattle, 20 Cows and Calves, and 2250 Sheep, an 200 Swine. About 150 Beef Cattle unsold.

Prices—Beef Cattle—Prices have declined since last week about 50c on the hundred pounds, and we reduce our quotations, viz—first quality $7 a 7 50—second quality at 6 25 a 6 75—and third quality at 5 a 6.

Cows and Calves—Sales were made at $23, 25, 27 50, 35, and $42.

Sheep and Lambs—Dull. Lots of Lambs were taken, including part old, at 1 67, 1 88, $2, 2 25, 2 38, and 2 62. Old Sheep at $2, 2 25, 2 50 and $3.

Swine—Nearly all at market were small pigs and shoats—one or two lots were taken, price not made known—a few were retailed without weighing.

MARRIED.

In this city, on Sunday, Mr Joseph Winsor to Miss Betsey Sprague.

By the Rev Mr Stow, Mr William M Mathiot, of Norfolk Va. to Amanda A Chapman.

DIED.

In this city, on Sunday afternoon last, Mr Hugh McCann a native of Belfast, Ireland, 30 years and 6 months.

The Editor of the New York Truth Teller is requested to notice the above

At New Bedford, Martha R. daughter of Rev Sylvester Holmes, 17.

IMPORTATIONS.

TRUXILLO & OMOA. Brig Carib—538 hides, 314 bales sarsaparilla, 4 tons Lima wood.

CARDENAS & HATANA. Brig Olive Chamberlain—323 casks molasses, 1 bbl sugar.

BRIDGEPORT, CB. Sch Mary—54 chal coal.

NEW ORLEANS. Brig Angora—8100?, 54 tierces 463 bbls pork, 3 do flour, 23 do castor oil, 25 do molasses, 70 hhds sugar, 25 bales cotton.

MINIATURE ALMANAC—Thursday, July 20.

Sun Rises,	Sun Sets,	Moon Rises	High Water.
h4 40m	h7 32m	h9 46m am	h1 40m

SHIP-NEWS--BOSTON, 1837.

WEDNESDAY, JULY 19.

ARRIVED.

Brig Carib, Rice, Truxillo 9th, Omoa 21st ult. No Ams at former. Left at latter, sch Lago, Martin, for New Orleans, same day

Brig Olive Chamberlain, Mitchell, Cardenas 36th, Havana 30th ult. Spoke, 17th inst, off Nantucket, sch Cicero, 8 days hence, with 30 bbls mackerel. Capt Chamberlain late of the O. C and two seamen, named Saml Porter and Benj E. Willburn, died at Cardenas;—a passenger named Lemuel Fuller, of Kingston, died on the passage

Brig Beaver, Ward Philadelphia.
Brig Helen Austin, Bath.
Br sch Mary, Petipas, Bridgeport, CB.
Br sch Hannah Smith, Liswell, Windsor.
Sch Argon, Baker, Richmond.
Sch Atlas Sears, Norfolk.
Sch Pocahontas, McCarthy, Baltimore.
Sch Eliza Jane, Shoemaker, Philadelphia.
Sch Amphitrite, Allen, Philadelphia.
Sch Cleopatra's Barge, Lewis, Philadelphia.
Sch Convoy, aker, Philadelphia.
Sch Wave, Nickerson, Philadelphia.
Sch Calcutta, Baker, Philadelphia.
Sch Richmond Packet, Ellis, Philadelphia.
Sch Berry, Sears, Philadelphia
Sch Harriet, Taylor, Philadelphia.
Sch Everett, Studley Philadelphia.
Sch Millicent, Hamblin, Philadelphia.
Sch Nahant Nickerson Philadelphia.
Sch Texas Baker, Philadelphia.
Sch Hope Howes, Howes, Philadelphia.
Sch Cordelia Lane, New York.
Sch Eliza & Nancy, Kelly, New York.
Sch Challenge, Rogers, Calais—did not arr 17th.
Sch David Porter, Sears, Dennis.
Sch Herald, Heath, Augusta.
Sch Emerald, Beck, Augusta.
Sloop Westbrook, Norton, Bucksport.
Arr 16th, sloop Boston Packet, Gunnison, Portsmouth.

BELOW, at quarantine, ship New England, Grozier fm Liverpool, May 27. Telegraphed, sch Nile.
Signals for 2 brigs.

CLEARED.

Brigs Neptune, Raymond, St Jago; Falco, Joseph Foster, Surinam; George, Knight, Portland, sch Larkin, Churbuck, Bridgeport CB; Br schs Coral, Howard, St John, NB; Emiy, Driscoll St Andrews; Three Sisters Cofilll, Windsor; Lark, Card. de; schs Visscher, Bearse, Albany; Wm Roscoe, Meeker, New York; Trio, Nickerson, do.

FOREIGN PORTS

Arr at Palermo, May 12, Chancellor, Ilsley, fm Marseilles, for New York, about 25th At do 15th, Athens, Dixey, for Boston, 25th; Roman, Gill, do 20th.

At Havre, June 8 Concord, Miltimore, New Orleans, fewds

Arr at Liverpool, 6 h ult, Ashburton, Baltimore.

Off Holy Head, 7th, Actress, fm New Orleans; Josephine, Liverpool for New York

At Maranham, 24th ult Shawmut, Shepard, for Para, 3 or 4.

Arr at Matanzas, 23d ult, Tom Cringle, Providence; 26th, Caroline, New York. Cld 23d, Congress, Hasty, Amsterdam; Nautilus, Cloutman, Cowes. Sailed 24th, Allioth, Chase, Hamburg.

Cld at Pictou, 2d inst, Eolus, Wilson, Providence.

SPOKEN.

July 1, lat 39, lon 52, ship Romulus, Liverpool for Norfolk.

July 3, lat 31, lon 53 30, was passed ship Ville de Lyon, from New York for Havre.

July 12 lat 33 30, lon 73 30, brig Two Sisters, Robinson, 7 ds hence for New Orleans.

No date, lat 40, lon 67½, brig Sarah Ann Alley, Straw, hence for Belize, Honduras.

July 13, lat 40 40, lon 68 10, ship Pennsylvania, fm New York for Liverpool.

ARRIVALS, CLEARANCES, &c.

SALEM, July 18—Arr Wm Penn, Savory, Maranham, 24.

PORTLAND, July 17—Cld Oxford, Kenney, Cuba.

CASTINE, July 13—Arr St Leon, Wescott, Liverpool; Alden, Boston. Sailed 10 h, Thurlow, Webb, St Peters, Miq.

NEW BEDFORD, July 18—Arr Pomona, Boston

HYANNIS July 15—In port, Malaga, Crowell, Baltimore; Uncle Sam, Richmond; Lexington Crowell, Boston for Philadelphia; Glide, Chase, do for New York.

PROVIDENCE, July 18—Arr Despatch, Nickerson, Boston New Bedford, Bath.

ALBANY, July 17—Arr Florence, Adams, Boston.

NEW YORK, July 17—Arr Lancashire, Alexander, Liverpool; Charles, Brewster, do; Pictou, Doane, Halifax. Cld Hercules, (Fr) Andrae, Boston; Alfred, Cheever, Liverpool; Reeside, Sherwood, Boston.

18th—Arr Lucy & Nancy, Bluehill.

PHILADELPHIA, July 17—Arr Pocahontas, West, Liverpool. June 8; Pilot, Milton, King ton, J; Florida, Staples, Pictou Below, ship Washington, Taylor, fm Madruss and Calcutta; sch Eagle, of Dennis.

Cld Eagle, Martin, Cadiz; John Bartlett, Dillingham, Halifax; Emerald, March, Boston; Gen Stark, Leighton, do; Porto Rico, Eustis, Bangor.

BALTIMORE, June 17—Arr Leonidas, Frost, Portsmouth; Patriot, Johnson, Mobile; Gallant Mary, Thompson, Mayaguez.

The Junius, Victor, Village, and Morn'g Star, arr 16th fm Boston—they were incorrectly reported to have cld yesterday.

ALEXANDRIA, July 15—Arr Blucher, Loring, Turks Island.

CHARLESTON, July 14—Arr Calhoun, New York; Lorena, do; Montezuma, Philadelphia; Herald Duff, Baltimore.

NEW ORLEANS, July 9—Arr Raymond, Howat, Boston.—In the Offing, bark EM.

10th—Cld Ann, Penhallow, Bordeaux.

LION THEATRE

COOKE'S SPLENDID EQUESTRIAN ESTABLISHMENT.

LAST NIGHT BUT THREE.

For the Benefit of Mr SPRAKE, Leader of the Band.

THIS EVENING, July 20,

In the Circle will be performed 5 new Equestrian Acts, By Mr Cooke's Family.

On this occasion the Boston Brass Band have kindly offered their services, and will perform several grand Pieces. A Trio on 3 Trombones, by Messrs Sprake, Torns & Gillman. A Solo on the Clarionet, by Mr Sprake.

To conclude with the whole of Lord Byron's beautiful Tale of

MAZEPPA!

Mazeppa	Mr Woolford
Count Premislaus	Mr Cooke, Jr
Olinska	Mrs Cole
Zemila	Mrs Thorne

☞ For particulars, see large bills.

The Last Afternoon Performance will take place at 3 o'clock, on Saturday, July 22.

Doors open at 6½—performances begin at ½ past 7.
☞ Prices—Boxes 75 cents; Pit 25 cents.

EXCURSIONS TO HINGHAM EVERY DAY THIS WEEK.

The splendid Steamer GENERAL LINCOLN, Captain George Beal, will make Two Excursions a day to HINGHAM, during this week.

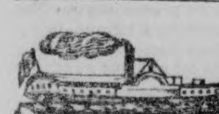
Leave Liverpool whf. Boston		Leave Hingham,	
At 9¼ o'clock,	A. M.	At 11 o'clock,	A. M.
1 "	P. M.	4 "	P. M.

Fare 25 cents each way, or 50 cents for the Excursion.
jy19

RAIL ROAD LINE—FOR NEW YORK.

The elegant and swift steamer RHODE ISLAND, Captain Thayer, will leave Providence, THIS DAY, July 20 at 4 o'clock, P. M.
Cars to meet the boat will leave the Depot at 1 P. M.
The NARRAGANSETT will leave Tomorrow.
For further information, inquire of R. L. PORTER, 47 Court st. jy20

NOTICE.



On and after Monday next, the Steamer PORTSMOUTH, Captain Howes, will leave Boston, Tuesdays, Thursdays, and Saturdays Returning will leave Portsmouth, Mondays, Wednesdays, and Fridays, at 8 o'clock mornings.
jy20 isept Aug I. W. GOODRICH, Agent.

FOR ALBANY AND TROY.—REGULAR LINE On Saturday.
The superior Packet Schooner STRANGER, N Bearse, Master, will sail as above. For freight or passage apply to BANGS & ALLCOTT, 15 Long wharf, or to Master on board, opposite, North side jy20

FOR SAVANNAH, GA.

The fast sailing copper fastened Brig ALEXANDRIA, Capt Cavel, is loading at India wharf, having part of her freight engaged will have immediate dispatch. For freight or passage apply to S. R. ALLEN, 110 Milk st.
jy13 istc

FOR SALE.

The Brig OSWEGO, 134 tons, Coppered and Copper fastened, less than 4 years old—a prime vessel and in complete order for any voyage. Apply to LOMBARD & WHITMORE, No 21 Commercial wharf. istf my3

VESSEL WANTED.

A schr of about 600 or 800 bbls burthen to proceed to a port in North Carolina for a return cargo. Immediate dispatch will be given. Apply to F. E. WHITE, 22 Long whf. 4tis j17

WHALE SHIP FOR SALE.

The coppered and copper fastened ship ADELINE, 329 tons burthen, carries 2800 bbls oil, built in 1825, with all her whaling apparatus—80,000 galls Oil Casks, &c. as she came from sea. The ship can be made ready for sea at a very low cost, and presents a very good opportunity for purchasers—for further particulars apply to F. E. WHITE, No 22 Long wharf. jy14

FOR SALE OR TO LET.

House No 6 Sewall place, leading from Milk st, being a first rate modern built brick house, containing two parlors with folding doors, six chambers, kitchen, washroom, &c., &c.—a very desirable dwelling house for a small family, in the centre of business, for sale or to be let to a good tenant. Apply to HENRY GREENOUGH, 40 India wharf.
epistf jel

TO LET,

3 brick dwelling houses in the West part of the city. Apply to G. T. WINTHROP, No 17 Court street.
je8 istf

TO LET.

The Chambers of Warehouse 61 Water street, now occupied by S. F. Barry. Apply at 11 Kilby street.
jy 6 3wis3os

TO LET.

Two convenient and pleasant Counting Rooms, at No 70 Long wharf. Also, two lofts for storage. Apply to E. M. HOWE, on the premises. 6t jy19

PHELPS'S ARCANUM.—For the cure of the worst diseases of the skin, ulcerous sores, scrofula or king's evil, syphilitic and mercurial diseases, rheumatism, white swellings, liver affections, costiveness of the bowels, general debility &c. And such diseases as are caused by an impure or bad condition of the blood. It is likewise particularly recommended to those whose constitutions are broken by habits of luxury and intemperance, the injudicious use of quinine and mercury, and badly cured diseases, by unskilful or neglected medical treatment, and all those whose lungs and chest are diseased by remote causes in the system.

The Arcanum has proved itself by years of experience far superior in its effects to the Panacea of Swaim Catholicon of Potter, or the French Robs. In testimony of the above statement, we refer to the opinion of Dr Sam'l L. Mitchell, of New York, Dr Jones of Baton Rouge, Dr Archer of Virginia, Dr Godman of Philadelphia, who have investigated the properties and efficacy of the article, and affirmed it as being superior to all medicines in their knowledge, for the removal of the diseases above named. Price $2 per bottle.

Boylston, Mass. Aug. 1st, 1835.

In the year 1830 I requested Dr Phelps to visit a daughter of mine, aged about 15 years, having a distortion of the spine or back bone, and whose general health had always been feeble.

The curvature of the spine, at that time, had acquired a hopeless and singularly disfigured appearance, and the Sternum or breast bone corresponded with the distortion, presenting to the beholder a deformity calculated to excite the deepest sympathy. From the first appearance of this disease, I had solicited the most skilful of the profession, whose attendance, various prescriptions and remedies were unattended with success or benefit—in a word, the progressive march of the disease bid defiance to the ingenuity of skill, and the power of medicine.

It was under these circumstances that we commenced the use of the Arcanum, which was perseveringly administered for several months. Her general health soon began to improve, and the progress of the disease was gradually arrested by this medicine only, and the use of the salt water bath.

From this period, her strength and energies of mind and body were evidently improving, and the deformity has subsided with the growth of years. At this time, which is more than five years since, we adopted the treatment of Dr Phelps, my daughter is in the enjoyment of good health, to our astonishment and admiration. She has been a teacher or instructress for two years past. M. DAVENPORT.

The great demand for the Arcanum, and its remarkable effects in chronic diseases, give it the decided preference to any other medicine. See Medical Advertiser

DR CHAPMAN'S COUGH MIXTURE.

This "Cough Mixture" is highly recommended by N. Chapman, M. D. Professor of the Institutes and Practice of Medicine, &c. in the University of Pennsylvania, as a superior article. Price 50 cents.

CHEMICAL PILE OINTMENT.

This article is also prepared from a Formula of Professor Chapman's, of Philadelphia, for the cure of the Piles, and is an excellent remedy. Price $1.

FISHER'S CORN PLASTER.

This Plaster, for the cure of Corns, is not equalled by any remedy in this country. Price 50 cents.

The above celebrated and excellent medicines are constantly for sale, at wholesale and retail, by WILLIAM WARD & CO. corner of India and Milk sts, Boston. Dealers supplied at the lowest wholesale prices.
jan2 eopPeoSis—epS

MUSICAL NOTICE.—The BOSTON BRASS BAND respectfully give notice to their friends and patrons of Boston and vicinity, that their ranks are full of efficient members, their new uniform full and complete A variety of new and popular Music is now added to their approved selections and will be brought out the earliest opportunity. No pains will be spared to render this Association as popular as former seasons, and they respectfully solicit a continuance of that public favor which has already been bestowed on the institution. Music furnished at short notice for Military and Engine Companies, Water Parties and Balls, by applying personally or by letter to J. C. GREENE, Park Hall, or S. S PEARCE, Clerk, No 29 Warren street east of Tremont road. Orders punctually attended to
ep1m 3tw3mis&os ap4

PARDEE'S PATENT TIMEPIECE.—This article furnishes for the store, counting room, office or dwelling house, the neatest, cheapest, most accurate and durable time keeper ever invented. For sale wholesale and retail by J. A. NOBLE, 111 Washington st. [ep3m je3

GRAND MECHANICAL DIORAMAS, AT THE AMERICAN GALLERY.

THE Conflagration of the ROYAL TAR; Bonaparte crossing the Alps, and three paintings—A Street in Jerusalem, commonly termed the Via Dolorosa or Street of Grief through which Christ was led, after being bound by the Jews and delivered to Pontius Pilate —*Mat. XXVII—2.*

The Interior of the Cathedral of Burgos, Spain, and a Spanish Sea View—Font Arabia.

The American Gallery, head of Summer street, which has been fitted up in a superior style, both for convenience and splendor of arrangement, will be open on *Wednesday Evening*, July 12th, for the reception of Ladies and Gentlemen, and continue open every evening until further notice, (Saturdays and Sundays excepted.) This Exhibition has been received with universal approbation, and a decided preference has been given it to Maelzel's celebrated Moscow. (See opinions of the press)

☞ Price of Tickets, in conformity with the times. May be had at the Gallery, from 2 to 5 o'clock, P. M., and in the evening—price 25 cents. Doors open at 7½ o'clock, commencing at ¼ past 8, precisely.
jy11 epistf

ATHENS.

THE Panorama of ATHENS is NOW OPEN, at the Riding school, near the Mill Dam, and Braman's Baths, bottom of Beacon street.
Admittance 25 cents. Open from 9 till dusk.
jy1 3taw

ATHENÆUM GALLERY.—The Eleventh Annual Exhibition of Pictures in the Athenæum Gallery will be opened THIS DAY, the 29th of May, at 7 o'clock, A. M.—Season Tickets, 50 cts; Single do, 25 cts.

I. P. DAVIS,
T. G CARY,
SAM'L. LAWRENCE,
JOSIAH QUINCY, Jr. } Committee.
JOHN BRYANT, Jr.
THOMAS DWIGHT.
je22 3aw

FIRE AND MARINE INSURANCE.—The NATIONAL INSURANCE COMPANY give notice that the amount of their Capital paid in and invested is

$500,000.

and they continue to insure against Fire and Marine Risks, to any amount not exceeding Fifty Thousand Dollars on one risk, at their Office No 62 State street, in Boston.
S. W. SWETT, President.
A. H. BEAN, Secretary.
July 1st, 1837. ST&Th1mis

FIRE AND MARINE INSURANCE.
THE COMMONWEALTH INSURANCE COMPANY do hereby give notice, that their Capital Stock now invested according to law, is

$300,000.

that they continue to insure on Marine risks, against the perils of the SEA—and on buildings and merchandise, against the hazard of FIRE, not exceeding $30,000 on any one risk.
JOHN K. SIMPSON, President.
JOHN STEVENS, Secretary istt m4

THE TREMONT INSURANCE COMPANY hereby give notice that their Capital Stock is

$200 000.

all of which is invested according to Law; and that they continue to insure on Marine Risks, against the perils of the Seas—and on Buildings and Merchandize, against the hazard of Fire, not exceeding $20,000 on any one risk.
j1 istf J. BINNEY, President.

FIRE INSURANCE.—The Charlestown Mutual Fire Insurance Company hereby give notice that having complied with the requirements of their act of incorporation, they are now ready to make Insurance upon buildings, at their office, No 40 Main street. CH'S. THOMPSON, Pres.
WM. SAWYER, Secretary.
Charlestown, Jan. 26, 1837. epistf

REMOVAL.—The Firemen's Insurance Company have removed to office No 75 State street corner of Kilby st.
is2w je5

MANSFIELD MINING COMPANY.—The Stockholders of the Mansfield Mining Company, are hereby notified that a third assessment of two dollars per share, was laid upon the capital stock of said company, on the 23d inst. payable to the Treasurer forthwith, and they are desired to pay the same accordingly. By order of the Directors.
D. A SIMMONS, Treasurer.
my 26 istf 20, Court street.

NASHUA AND LOWELL RAILROAD.—Agreeably to a vote of the Directors, the third instalment of ten dollars on each share of the Capital Stock of said Corporation must be paid into the Treasury on or before the 20th day of August next. The certificates of stock should be presented when the instalments are paid.
By order of the Directors,
CHAS. J. FOX, Treasurer,
of N. & L. R. R. Corporation.
Nashua, June 29, 1837. 3w jy10

GREAT BARGAINS IN CLOTHING, AT 15 PER CENT. LESS THAN COST.

AT the new and commodious stone store corner of Essex and Washington streets, next door to Bowditch and Cummings formerly occupied by S. A. Peirce, as a Crockery Ware Store, will be offered 5000 Fashionable Ready Made GARMENTS, comprising the best Stock of Clothing ever offered in this City, consisting of Frock and Dress Coats, of every color and quality—Pantaloons and Vests, of every desirable style of goods—a large assortment of Thin Clothing, manufactured very recently—likewise Over Garments, of all kinds.

☞ Sale to commence on Saturday morning, July 15, and continue through the next week. The price will be marked on each article.

The above offers an extraordinary inducement for Gentlemen to supply themselves with first rate Garments, at prices much less than has ever before been offered in this City.
jy15 eptfis

FOR SALE—A RESTAURATEUR, being one of the best stands in the city It is well furnished and has every convenience for doing a large and genteel business, and will be sold on reasonable terms. Apply at this office.
jy14 istf

SOUTHERN YELLOW PINE—Now landing from schooner Sarah, from Mobile, consisting of heading, flooring, boat and ship's planks and timber, a superior article, for sale by JNO. H. FOSTER & CO. 45 Water street.
jy15 eopis3t

THE COPARTNERSHIP heretofore existing between the subscribers, as Counsellors at Law, has been dissolved by mutual consent. FRANCIS BRINLEY, JR.
Bangor, June 28, 1837—eop3w CHARLES GILMAN.

BRINLEY & ALLEN.

THE Subscribers have entered into a Copartnership as Counsellors and Attornies at Law, in Bangor, Me.
FRANCIS BRINLEY, JR.
Bangor, July 3, 1837—eop3w F. H. ALLEN. jy8

NOTICE is hereby given that WM. H. JONES has withdrawn from the firm of PALMER, JONES & BLAKE—The affairs of the late firm will be adjusted by PALMER & BLAKE, who will continue the business at the old stand, 44 Hanover st.
W. H. JONES.
PALMER & BLAKE.
Boston, July 1, 1827. is3tprw2w

GERMAN WHITE LEAD.—A constant supply of German White Lead, dry and ground in oil—for sale by HENSHAW, WARD & CO.
jy7 eopis2w 36 India street.

HEAVY CASSIMERES—CHEAP.—MACKINTIRE, LYFORD, & CO, at No 34 Kilby street, have just received, on consignment, 10 cases very heavy Cassimeres—Colours, Lavenders, Drabs, and Lavender mixed—which they will sell, by the package or piece, cheap for *cash*. They will also sell their whole stock of Foreign and Domestic Dry Goods, (which they are every day replenishing) at very low prices for the "rag currency," it being their intention hereafter to do a "cash business." iseop6w jy11

BEST CURLED HAIR MATTRASSES, 2d quality do do—Entry Mats, &c.—for sale at the lowest cash prices, at the INSTITUTION FOR THE EDUCATION OF THE BLIND, 19 Pearl street.
N. B.—Old Mattrasses dressed and made up anew, at from 1 to $2 each, according to size and condition.
jy11 is&os1m

SPERM CANDLES.—300 boxes Sperm Candles for sale by HEWINS & FISHER, No. 7 Central Wharf.
jy15 epistf

FOR SALE.—A first rate Pew in the Rev Mr Robbins Church—for terms inquire at 113 State street.
my1 epistf

DISSOLUTION OF COPARTNERSHIP.—The Copartnership heretofore existing between the subscribers, under the firm of SMITH & GORE, is dissolved by mutual consent. The affairs of the late firm will be settled by either of the parties.
HENRY SMITH,
WATSON GORE.
July 1st, 1837. jy 6

COPARTNERSHIP NOTICES.—The subscribers have formed a Copartnership in trade under the firm of HENRY SMITH & SON, No. 150 Washington street.
HENRY SMITH,
JOHN H. SMITH.
July 1st, 1837. jy 6

WATSON GORE informs his friends and the public that he has taken Store, No. 100 Washington street, where he has now on hand and will continue to keep a complete assortment of HOSIERY, GLOVES, SHIRTS, DRAWERS, &c. and respectfully solicits a share of their patronage.
jy6 2w3wis

DRUGS.—Carbonate Ammonia—English Valerian—Windsor Soap—Sulphate Quinine Syanges—together with a large assortment of English Drugs just landing and for sale by LEWIS & CO. 118 State street.
eopis1m je23

JOHN A. BOLLES,
COUNSELLOR & ATTORNEY AT LAW.
10 Court street, Boston.
j12 Tu&Th is6m

DELANO & WHITNEY,
—Importers and dealers in—
DRUGS, PAINTS, DYE STUFFS AND DYEING DRUGS,
Nos 55 & 56 Chatham street.
my10 2awis3m

CHARLES C. LITTLE & CO.
PUBLISHERS, BOOKSELLERS AND STATIONERS,
(At the Store recently occupied by HILLIARD, GRAY & CO.)
No. 112 Washington street, Boston.
Charles C. Little,
James Brown. istf jy 6

STONE & POOR.
IMPORTERS OF
WATCHES, JEWELRY, AND MILITARY GOODS.
No. 96 Washington street.
epis Up Stairs. ap 21

AMOS STEVENS,
No 5, South side of Faneuil Hall.
GENERAL ASSORTMENT OF
PATENT BALANCES, STOVES, FUNNELS, &c. &c.
ap12 Constantly on hand. is6w

LOTT H. POOLE,
(Late Foreman to John Earle, Jr.)
MERCHANT TAILOR,
No 70 Washington street, corner of State street.
f15 (Up stairs.) istf

BATES & TOLMAN,
—manufacturers of—
MUSICAL INSTRUMENTS, UMBRELLAS, AND WALKING CANES.
No 6 Court street, Boston.
Joseph L. Bates,
George S. Tolman. 2m my4

DARWIN CHAFFIN,
MANUFACTURER OF
STOCKS AND READY MADE LINEN,
At his Furnishing Store, 80 Washington st,
WHOLESALE AND RETAIL
a14 istf

CITY OF BOSTON—Five per cent Stock, Redeemable in 1855, Interest payable semi-annually on the 1st of January and 1st of July—for sale by DANA, FENNO & HENSHAW. eopistf ap15

BOOTS AND SHOES—CHEAP FOR CASH.
☞ AT NO. 8 BLACKSTONE STREET. ☜
TO SOUTHERN AND WESTERN DEALERS.
500 pairs Men's Cowhide Boots—500 do do Buckskin Shoes.
1000 do do Heeled and Dancing Pumps.
4000 do Ladies' Fr. Sewrounds—Kid, &L'r.
4000 do do Kid spring Slips, &c. &c. &c.
Also—A good assortment of Shoe Stock and Trimmings.
jy15 7spis

NOTICE.—The copartnership heretofore existing under the firm of TILESTON & KEMP, is dissolved by the death of the senior partner. The business of the late firm will be settled by the subscriber. RUFUS C. KEMP.
is4w fe32

COPARTNERSHIP DISSOLVED.—The copartnership heretofore existing between the subscribers under the firm of WILLIAM WARD & CO is this day dissolved by mutual consent.
WILLIAM WARD,
JOSEPH W. WARD.
Boston, June 20, 1837. epis3w je20

COPARTNERSHIP NOTICE.—The subscribers have formed a connexion in business under the firm of HENSHAW, WARD & CO. and have removed to No 36 India street, where they offer for sale a general assortment of Drugs, Paints, and Dyeing Drugs.
The concerns of John Henshaw, and of William Ward & Co. will be adjusted by Henshaw, Ward & Co.
JOHN HENSHAW,
WILLIAM WARD,
JOSEPH W. WARD.
Boston, June 20, 1837. epis3w je20

REMOVAL.—CHARLES HENSHAW has removed from Granite Stores, Commercial wharf, to the Counting Room of Henshaw, Ward & Co. No 36 India street.
je20 epis3w

SUPERIOR MARSALA MADEIRA WINE.

30 pipes	}	
75 ½ do	} Superior Marsala Wine, Colli brand, ship Rambler's cargo, entitled to debenture.	
280 ¼ do		
20 ⅛ do		
37 do	} do do do brig Florida's cargo.	
25 ⅛ do		
11 hhds	do do do brig Champion's cargo.	

For sale by HENRY GREENOUGH or ALFRED GREENOUGH, 40 India wharf epis2m Je3

REMOVAL.

HENRY RICE & CO. have removed to No 68 Milk street, up stairs, 3d door west of Kilby street.

FRESH SPRING GOODS.

HENRY RICE & CO. have received an extensive assortment of British, French and American Dry Goods, which they offer for sale on favorable terms at No — Milk street, up stairs, 3d door west of Kilby st is3m mh20

BLANEY'S FURNACE, for warming buildings.—The subscriber respectfully offers the above article as superior to any thing of the kind now in use. He has liberty to refer to the following gentlemen who have had them in use the past winter:—Thadeus Nichols, Wm. W. Clapp, Nath'l. Greene, Josiah Bumstead, Josiah Stedman, Marshal P. Wilder, Wm. S. White. For sale at the Grate Manufactory, No 102 Court street. je12 istf BENJ. BLANEY.

CARPETINGS AND RUGS.—TABER & SMITH No 76 Washington street, have received by the late arrivals from Liverpool,—
4 bales super Saxony and Wilton }
8 do Brussels } Carpetings.
10 do super Kidderminster }
Also—5 bales superior Rugs, comprising Worsted, Tufted, Wilton and Brussels
Likewise—on hand a good assortment of Oil Floor Cloths—Beckings—Piano and Table Covers, &c. &c.
a24 istf

FALSE ALARMS OF FIRE.—At a meeting of the Mayor and Aldermen, held on Monday, the 28th day of April, 1831, the following Order was passed:
Whereas, the practice of ringing bells, or of tolling them rapidly, for lectures, has frequently caused false alarms of fire, thereby greatly annoying the citizens, especially those attached to the Fire Department, and doing damage to the fire apparatus of the city, thereby much increasing the expense of that Department—therefore Ordered, That hereafter no bell shall be rung for lecture, but tolled only at a moderate rate.
The Sextons attached to the several Churches in the city are hereby called upon to enforce the above order.
WM. BARNICOAT.
Chief Engineer Boston Fire Department.
Engineer's Office, June 26th, 1837. is3w

BOSTON FIRE DEPARTMENE.—Any person delivering articles on account of the Boston Fire Department, is informed that no bills will be appointed without a written order from this office. WM. BARNICOAT,
Chief Engineer, B. F. Dep't.
Engineers' Office, June 29, 1837. is3w jy1

CITY OF BOSTON.

Assessors' Office, Faneuil Hall, }
Boston, July 11, 1837. }

THE Assessors of the city of Boston hereby inform their fellow citizens, and all others liable to be Taxed in said city, that the Tax Books for the year 1837 will be opened this day and for ten succeeding week days for their inspection, at their office above named, where they may have an opportunity of ascertaining the amount of estates, income and polls for which they will be taxed.

The Assessors flatter themselves with the hope, that the increased exertions which have been made by the whole board to equalize the Taxes will prove satisfactory.
SAMUEL NORWOOD, } Principal
HENRY BASS, } Assessors.
THOMAS JACKSON
jy11 epistJ22

ONE HUNDRED DOLLARS REWARD.

ON the 13th of May last, HERMAN FAY the Agent at Halifax, of the subscribers, deposited in the letter bag of the brig ACADIAN, (John E. Lane, master,) four letters addressed to them at Boston, one of which contained a bill of lading for specie shipped, and also one half part of a bill of the Eagle Bank in Boston for Five Hundred Dollars. No 23 signed Titus Wells, President—J. J. Fisk, Cashier.

Another letter contained the other half part of said Bill, and also several Drafts. A third letter contained Thirteen Dollars in small bills, Banks not recollected. The fourth letter had no enclosures.

The three first above named letters have never been received, the other, *without enclosures was duly received.*

The subscribers wrote a letter to Mr Fay on the subject, by the Acadian on her return to Halifax, *this letter also has not been received.* A reward of One Hundred Dollars will be paid for said Bank Bill of Five Hundred Dollars, and a liberal reward for said missing letters, and any information respecting the matter, will be thankfully received at No 15 North Market street, Boston, by THAYER & BATES.
June 12 2is 2awtf je13

BOOT AND SHOE STORE.

EDWIN A PALMER respectfully informs his friends and the public, that he has taken Store 345 Washington st. opposite Suffolk place, where he offers for sale a first rate assortment of BOOTS AND SHOES 2mis my19

PINE LUMBER FOR SHIPPING.—A prime cargo of Pine Lumber afloat, suitable for the West India markets, for sale by S. R. ALLEN, 110 Milk st.
jy14 is6sp

AUCTION SALES.

BY EDWARD F. HALL,
Office Nos 23 and 25 Central street.

DRY GOODS

This Day, at 9 o'clock at office.

A large and prime lot of Foreign and Domestic Dry Goods, without reserve, to close a concern, for cash.

Consisting of French, English and American prints—French prtd muslins—French and English ginghams—Irish linens—linen dispers and damasks—Russia sheetings—linen and bishop lawns—cambric, book, mull, Swiss and tape checks muslins—white and cold cemorics—gro de Nap, figd, pld, twill and fancy silks—Italian and plaid cravats—choppas and bandannas—red, white and fancy pongee hdkfs—Marseilles, quiltings and fancy silk vestings—blk satins—blk bombazines—cold crapes bobbinet, gimp, thread and fancy laces—lace and gauze veils—lace hdkfs, shawls and aprons—kid, silk and thread gloves—thibet, cashmere, damask and fancy shawls—sewing silk—fancy silk and thibet hdkfs—sewing silk—linen thread—spool and sewing cotton—tapes—pins—bindings floss—gilt, lasting and pearl buttons—ticking corded robes—I. R, webb and Kent suspenders—spun silk hdkfs—insertings—muslin and lace pelerines capes and collars—gauze hdkfs—printed merinos—silk and velvet belts—cotton buckskins—cotton flag hdkfs—double foundations—French brown, white and fancy linen drills—west ends—congress drills—stpd plds—blchd and brn sheetings and shirtings—prtd moleskins linen hdkfs—silk, cotton, worsted and merino hosiery—bead purses—woolinets—erminets—stormants—Rouen cassimeres—jeans—cotton cravats—patches—duck—grass cloths—kerseys—dimoteys—English cambrics—&c. &c.

—at 11 o'clock—

Pieces and part ps superfine and medium broadcloths—cassimeres—satinets—woolinets—linen and summer stuffs.

—at 12 o'clock—

30 cases fashionable black and white silk and fur hats.

Also—a large lot of cut dry goods with which the sale will commence.

This Day, at 10 o'clock, at office.
—for cash—

This day received from New York, with orders to close—5 cases bleached sheetings—3 do bleached cambrics—500 corded shirts—15 cases madder col'd prints—2 do super furnitures—750 palm leaf fans.

BY J. M. ALLEN & CO.
Corner of Milk and Congress streets.

WINES.

This Day, at 12 o'clock, at office.

30 doz bro Sherry wine, an excellent article—15 five gallon demijohns do—a few qr and 8th casks do—10 demijohns old port wine—10 do superior Rhenish wine

CARNATIONS

This Day, at 12 o'clock, at office.

90 pots Carnations, in fine order.

HOUSE & LAND IN SOUTH BOSTON.

This day, at 4 o'clock P. M. on the premises.

A two story dwelling house, situated on 3d street, between D and E streets, built last year, well finished, with good cellar and excellent well of water in the same, together with every convenience.

Also—900 feet of land, part of which is in good cultivation

TRAVELLING, HAIR & FANCY TRUNKS.

Tomorrow, at 11 o'clock, at office.

60 boot top travelling trunks, many of which are superior—30 custom made hair trunks various sizes—30 custom made fancy trunks—3 valises—carpet bags, &c

SEASONABLE CLOTHING.

Tomorrow at 9½ o'clock, at office.
—To close invoices—

A large assortment of clothing, &c.—consisting of 20 super bombazine and erminet dress coats, various colors—350 prs super buck—bro Holland—satin jean—fig'd stormont—west end—linen drilling and plaid pantaloons—690 silk—silk valentia—heavy Marseilles—satin—figd merino—cotton and silk velvet vests—506 bro linen—white—jean—nankeen and strpd jackets, &c. &c.

—at 11 o'clock—

8 whole and part ps super mulberry, adelaide and claret broadcloths—11 ps dark drab cassimeres.

FURNITURE &c.

On Saturday next, at 9 o'clock, at office.

A general assortment of household furniture, beds, mattresses, &c.

Particulars to morrow.

HORSES, CARRIAGES, &c.

On Saturday, at 11 o'clock,
At the Horse Mart, bottom Union st.

Will be sold a variety of horses, chaises, carriages, &c.

A fine bay mare 7 years old—just from the country—warranted sound and kind—will stand without tyeing—good under the saddle and will travel 9 miles an hour in harness. May be seen at Forbes's stable, Sudbury street.

A first rate English blood horse 7 years old—warranted perfectly sound and kind—superior under the saddle and good in harness—of fine figure and action, and will travel 12 miles within the hour.

Also—a prime second hand blue lined C spring chaise—built by Knowles & Co.

The above horse was purchased in Detroit expressly for the present owner, who sells him for want of employ

BY SAM'L. K. BAYLEY.
[Office corner of Milk and Devonshire streets.]

STEREOTYPE PLATES.

Will be sold at public auction, by order of the Mortgagee, on Thursday, the 20th day of July next, (unless previously disposed of at private sale.) at 12 o'clock, at office.

The Stereotype plates of the Cabinet of Extracts, small pica, 4to, 373 pages—Folio Bible, great primer, 262 pp. incomplete.

The plates may be examined any time previous to sale, on application at No 39 Congress street.

FURNITURE &c.

On Saturday, at 9½ o'clock, at office.

A large and general assortment of new and second hand house furniture, looking glasses, crockery ware, &c. &c.

Consisting of sofas mahy and blk walnut rocking chairs—mahy card tables—do pembroke do—mahy toilet glasses—curled hair and cane mattrasses—cane seat chairs—sideboards—bureaus—time pieces—sets curtains—mahy chairs—do centre tables—bedsteads—music stools—ottomans—a lot of copper ware, &c.

Also—1 of Tuft's patent cooking apparatus, for cooking with charcoal in summer, and hard or soft coal in winter.

SUPERIOR FOWLING PIECE

On Saturday, at 10 o'clock, at office.

A very superior stub twist double barrel fowling piece—also, a gun washer—powder flask and shot belt. The above was made to order by Wilmot, and is a first rate article.

IRON SAFE, CANVASS CARPET, &c.

On Saturday, at 10 o'clock at office,

A superior iron safe, made by Gaylor—painted canvass carpet, nearly new—mahy side desk, with top drawers—green curtains, &c.

Also—a set of hard wood side sashes, with grooves complete, ready to put up.

REFRIGERATORS.

On Saturday, at 10½ o'clock, at office.

10 large size refrigerators.

HORSES—CARRIAGES, &c.

On Saturday next, at 11 o'clock.

At the Depository corner of Milk and Devonshire sts, Will be sold a variety of horses, chaises, carriages, &c.

Particulars hereafter

—At private sale,—

A splendid dining set.

BY OTIS RICH,
Office No 38 Broad street.

HATS.

This Day, at 10 o'clock, at office

500 cases hats comprising a great variety of different styles and fabrics, to be sold for cash.

HOUSES IN DEDHAM.

Will be sold at public auction on Tuesday, the first day of August next, at 3 o'clock, on the premises.

Two new wood n dwelling houses, pleasantly situated on Village Avenue, within three minutes walk of the Alden's Hotel—the houses are two stories high, with eight rooms to each—an excellent well of water, and about 8200 feet of land to each house.

The above offers a good opportunity to any person wishing to purchase a good house to live in, or it would be a safe and profitable investment for any person, as houses are very much wanted in the vicinity in which they are situated.

Terms liberal, and made known at the time and place of sale. For further particulars inquire of WM HAYNES, Battery wharf, Boston, or SAM'L SWETT, Esq., Dedham.
jy15 TuTh&S sis

BY COOLIDGE & HASKELL.
Office No 69 Kilby street.

—At private sale—

11 cases 4 col'd lt fancy prints—well calculated for exportation, being entitled to debenture.

CURLED HAIR, MATTRESSES, FEATHERS &c

SUMNER FLAGG, No 18 Union street, has on hand a first rate assortment of Curled hair, consisting of Rio Grande, Buenos Ayres, Russia and American, in rope or picked

Also, Russia, Prussia and American Live Geese Feathers, which, with a large assortment of Feather Beds, first rate Curled Hair and Palm Leaf Mattresses, Ticking, &c. &c. he offers for sale on the most advantageous terms, wholesale or retail.

☞ Orders for Public Houses, Steamboats, &c. executed with neatness and dispatch. TT&S is3m a6

ECONOMY,—Persons having old Stock Frames worth re-covering, and wishing to practice economy in these times of "living without the means," can have them done in the neatest manner and on the most reasonable terms, by leaving them with A. RICHARDSON, 5½ Hanover (near Court) st. epis2m jy11

BANK BILLS of all kinds, exchanged at CLARKS Office 6 City Hall. istf mh30

AUCTION SALES.

NEW AUCTION & COMMISSION STORE. No 52 Ann street, in the brick block nearly opposite Merchants' Row The subscriber would respectfully represent to his friends and the public, that he has obtained licence to sell by Auction, and will sell at the above place, where he will gratefully receive consignments of any description of property, to sell by Auction or at Private Sale, and respectfully solicits, and will promptly attend to out door sale of any description. He hopes by a faithful discharge of his duty to receive as well as merit the patronage of his friends and the public.
J. L. HERRICK, Auct'r.
☞ Cash advanced on property left for positive sale.

MARSHAL'S SALE.

United States of America, Massachusetts District, ss.
Boston, July 3, 1837

PURSUANT to a warrant from the District Court of the United States for the District of Massachusetts, I hereby give notice that I shall sell at public auction, at the Custom House, in Boston, within said District, on Thursday the twentieth day of July current, at 12 o'clock, M.—four barrels of Brandy—three Demijohns of Brandy—decreed forfeit for a violation of the laws of the United States.
JONAS L. SIBLEY, U. S. Marshal.
jy6 6th, 13th, 20th

BY JOHN TYLER.
Office No 9 Central wharf,

MORTGAGEES' SALE.
GROCERIES, &c.

This day, at 10 o'clock.
At No 4 South Market street.

The entire stock of said store, consisting of West India goods and groceries—consisting in part of the following articles—300 casks nails—70 bxs tobacco—6 kegs do—50 chests Y. H. tea—10 bxs do do—30 chests Souchong do—100 bxs do do—100 do bloom raisins—150 do bunch do—60 do Eleme do—8 bags pepper—pipes Holland gin—hhds St Croix rum—pipes half pipes and qr casks S city M wine—spices—nuts—&c, &c, with all the store furniture.

FRESH OLIVES.

This day, at 11 o'clock.
At No 4 South Market street.

Landing from brig Martha—200 jars fresh Seville olives.

NEW ORLEANS SUGAR.

Tomorrow at 11 o'clock.
At Commercial wharf.

Landing from brig Angora—36 hhds New Orleans Sugar,

NEW ORLEANS SUGAR

Tomorrow at 11 o'clock.

At Commercial wharf, landing from brig Angora.
27 hhds New Orleans sugar.

ADMINISTRATOR'S SALE.

On Wednesday, the 26th inst. at 11 o'clock.
At Commercial wharf.

The ship Herald, 241 tons burthen, with all the whaling craft, casks, &c., left from her last voyage: said ship was built in Salem, in 1822, of the best materials, for the late Pickering Dodge Esq For inventory, apply to LOMBARD & WHITMORE, 21 Commercial wharf.

BY J. LAWRENCE HERRICK.
Office 52 Ann street, opposite head of Merchants' Row.

TRUNKS & CONTENTS.

This Day, at 9½ o'clock, at office,
—sale positive—terms cash—

2 trunks containg numerous articles of rich clothing—new and second hand—viz: 15 white cotton shirts—3 check do do—7 woolen do frocks—6 pr long hose—1 pr cotton drawers—2 pr mole skin pants—1 do linnen do—3 pr buckskin gloves—2 do kid do—1 do silk do—1 do I. rubber suspenders—2 pr ½ hose—1 crava—1 vest spring—1 blk cravat—2 silk hdkfs—3 do do—2 napkins—4 neck stocks—1 over coat—4 linnen collars—also, 1 boot top travelling trunk—1 plain do do—lot of unwashed clothes.

BY WHITWELL, BOND & CO.
Office No 11 Kilby street.

EAST BOSTON LAND.

This Day, at 12 o'clock, at office.

A very eligible lot, being No 3, on Bennington street, 100 by 100—containing 1000 square feet of land.

This land is near the Hotel, Railroad, Turnpike and the public garden and is worthy the attention of purchasers. Terms will be liberal and declared at the sale.

MANUFACTURING STOCK.

On Saturday next, at 11 o'clock, at office,

10 shares Nashua Manufacturing Co.

—At private sale—
WINDOW BLINDS.

300 fine green Canton window blinds, 36 by 72 and 42 by 80
150 prime Westphalia hams.
Also—2 cases white Pongees, imported in ship Henry Ewbank.
1200 ps Madringue grass cloth—to close an account.

BY F. E. WHITE.

ALEXANDRIA SUPERFINE FLOUR.

This Day, at 11 o'clock.
At No 22 Long wharf.

200 bbls Alexandria superfine flour, in bright barrels.

LIVERPOOL SALT.

Tomorrow, at 12 o'clock.

At the end of India wharf, on board ship Unicorn.
800 hhds coarse Liverpool salt.

BY DANIEL HERSEY
Office Nos 27 & 29 Exchange st.

GROCERIES, &c.

This Day, at 9½ o'clock, at office,

I shall sell a general assortment of W. I. goods and groceries, among which are bbls rum—gin and brandy—casks wine—chests tea—coffee—sugar—rice—tobacco—boxes cigars—do white and bro soap—do blacking—do ink—spices—nutmegs matches—standing casks and kegs—scales, weights and measures, and other articles.

Also—1 large mahy counter, with marble slab and draws—and desk attached to the same.

CLOTHING, &c

On Saturday, at 9 o'clock, at office.

I shall sell a large and general assortment of new and second hand clothing—consisting of dress and frock coats—jackets—vests and pantaloons—shirts and drawers—over hauls boots and shoes—hats—caps—gloves—socks—hose—suspenders and numerous other articles.

Also—a number of good watches—lot of jewelry, &c.

BY JABEZ PRATT.

SHERIFF'S SALE.

Suffolk, ss. Boston, July 20, 1837.

Taken on mesne process, and will be sold at public auction by consent of parties.

On Saturday next, at 9 o'clock. A. M.

At the grocery store corner of Endicott & Stillman sts.

All the stock of said store, consisting of bro sugar—lump do—coffee—Y. H. and souchong teas—liquors—and a variety of other articles usual in grocery stores.

By order of C. D. Coolidge, Dep Sher.

BY J. L. CUNNINGHAM.
Office corner of Milk and Federal sts.

BOOKS—ENGRAVINGS.

This Day, at 9 o'clock, at office,

A collection of books—among them are Byron's works, complete in one vol, Dearborn's edition—Shakspeare, do—Rollin's ancient history, 2v, 4to—Baker's livy, 2v, cloth—Malte Brun's geography, 3v, 4to the works of Dr Chalmers—Robertson—Milton—Moore—Pindar, and others—Mosheim's church history, 2v—Boswell's Johnson, 3 v—Watson's body of divinity—life of Roscoe—Bulwer's novels complete in one vol—Walpole's private correspondence, 4v—Lamb's dramatic poets, 2 vols.

Also—several London annuals—books of prints—engravings—Hogarth's works—Fisher's views in Lancashire—Tombleson's views on the Rhine—Allen's views on the Tyrol, &c. &c.

FURNITURE.

This day at 9½ o'clock,
At No 71 Warren street.

The furniture of a gentleman breaking up housekeeping—comprising Kidderminster carpets—sofa—fancy and common chairs—looking glasses—brass fire sets—an excellent time piece—dining card and pembroke tables—china, glass and crockery ware—dining set of Liverpool ware—tea and coffee set—plated ware—knives and forks—waiters—astral, mantel and entry lamps—mahy high post and field bedsteads—several first rate feather beds—hair mattrasses—lot of bedding, sheets, blankets, counterpanes, &c—wash and light stands—and a variety of kitchen furniture, &c. &c.

The above may be examined on the day before the sale.

TO LET—The above house, 3 stories high, containing 10 rooms, two kinds of water and every convenience for a family, all in perfect order, with a garden. Apply to Mr OLIVER MILLS, on the premises

OIL PAINTINGS.

Tomorrow at 11 o'clock.
In Corinthian Hall, entrance from Milk street.

18 Oil Paintings, (marine views) recently finished by an artist of this city—comprising views in Boston harbor and vicinity—views on the coast of Maine—England—France, &c.
They may be examined on the day before the sale.

FURNITURE &c.

On Saturday, at 9 o'clock, at office,

A variety of good furniture among which are a set of mahy dining tables—pembroke and card do—sofa—fancy and common chairs—an eight day clock—looking glasses—astral and centre lamps—mahy bureaus—bedsteads—beds and bedding—suit of window curtains—wash and light stands—and a variety of kitchen furniture, &c

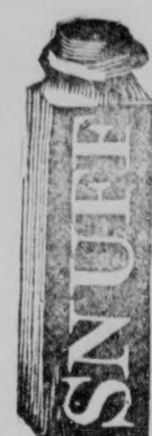
20 Canton inside window blinds—several good pictures.

—At 12 o'clock—

An excellent upright piano forte, made by Stodart, of London, of superior tone and in good order, suitable for a choir or sunday school.

GOLD AND SILVER.—A premium paid for SOVEREIGNS, AMERICAN GOLD and other Specie, by JOSEPH W. CLARK, Exchange Broker, No 6 City Hall, State street. tf my18

AROMATIC SNUFF.



FOR HEADACHE AND CATARRH, prepared by J. P. WHITWELL, Chemist and Druggist, composed principally of roots and aromatic herbs. The flavor of this Snuff is fragrant and delightful, it gently opens the head and sensibly stimulates the spirits; and is known to be of essential service to most who are troubled with long, dull nervous headache.

In cases of Catarrh, a pinch or two taken at night, will remove all obstructions before morning, it is a most excellent remedy in hypochondria or vapors, in a warm atmosphere or after a fatiguing walk or ride—also in dimness of eyesight occasioned by nervous irritability, and all sedentary persons will find it a convenient and cheering relief from that lasitude which accompanies a long sitting or much reading.

This superior article is recommended by Dr B. Waterhouse, late Professor of the theory and practice of physic in Harvard University; and is sold at the corner of Milk and Bath streets, opposite Pearl street; price 50 cents and 25 cents a bottle.

N. B. There is another article under this title, therefore be sure you ask for that prepared and recommended as above.

At the above place may be had the CHEMICAL EMBROCATION or Whitwell's Original Opodeldoc.

This ORIGINAL OPODELDOC is considered by the first physicians in the U. States to rank higher than any other composition in existence for the following complaints, viz:—Bruises, Sprains, Gout, Rheumatism, Cramp, Numbness, Stiffness or Weakness of the Neck or Joints, slight Burns or Scalds, Chilblains, Chapped Hands, &c. and has obtained a certificate of approbation from the Hon SAMUEL L. MITCHELL, M. D. L. L. D., Professor of Medicine in the College of Physicians in the State of New York. This article possesses three times the strength and goodness of the old hard kind.

N. B. This article possesses the quality of relieving pain, (after the swelling has subsided) in a greater degree than any other remedy known.

To Country Traders. Dealers in medicine purchasing at the fountain head and at wholesale prices, will find more profit in the sales than on any of the imitations, besides having the satisfaction of selling to their customers the genuine article.

Caution.—There are a thousand and one imitations of this Embrocation, under other names, most of which are entirely worthless; eschew the whole of them and purchase only the genuine, by far the cheapest in the end.

Price 37½ cents a bottle. 3m ap12

IMPORTANT TO THE AFFLICTED. DR HERBERT, Member of the Royal College of Physicians Edinburgh, may be consulted on all diseases incident to the human frame. Patients who are incapable from infirmity of attending personally upon Dr H. can, by sending a particular statement of their case, be told whether they are curable or not.

"Medicine without principles is an humble Art, and a degrading occupation."

Dr Herbert having arrived in America for the purpose of taking a tour through it, and seeing in every place he visited so many invalids laboring under different complaints, and so many who have ruined their constitutions by applying to advertised nostrums, respectfully informs the citizens that he has returned to the city of Boston and intends remaining for the purpose of rendering his services to the afflicted.

☞ Dr H. may be consulted at his apartments, No 2 Suffolk place, ☞ near Bedford street, ☜ from 10 in the morning till 8 in the evening. The Doctor wishes every person who may need his advice, to make timely application.

The advantages the Dr has possessed of acquiring a knowledge of different diseases, have been far greater than generally falls to the lot of any individual. From his peculiar mode of treatment, his professional celebrity has been established;—and since his arrival in America, gratitude arising from a thousand hearts is and has been a sweet enjoyment.

Report of patients relieved and cured by Dr Herbert since his arrival in the U. States;—Abscess 36—Asthma (periodical, constitutional and spasmodic) 70—Blindness, from various causes, 38—Dropsy, in its complicated stages, 68—Fits 64—Fistula without cutting, 54—Nervous Disease, 140—Piles, 58—Rheumatism, 80—Stone and Gravel, 50—Bilious Disorders, 57—Cancer and White Swelling, 68—Consumption, 80—Deafness, 54—Diseases of Infants, 68—Giddiness, 67—Gout, 52—Headache, from various causes, 75—King's Evil, 46—Liver Complaints, 51—Lumbago, 52—Scurvey, 68—Gravel, 75—Ulcerated Sore Legs, 38—Worms, 85—Paralytic Stroke, 56—Ague, 80.

m23 eop1m

Dr KINGLEY'S PILLS.

THE most safe, effectual and economical remedy for diseases of the Human Constitution, that has ever been discovered.

These Pills are composed entirely of materials extracted from Medical Plants, and are warranted not to contain one particle of mercury, or any mineral substance. Dr Kingley, the inventor of this valuable medicine, from his knowledge of the Human System, derived from a long and extensive practice, has arrived to the conclusion, that the great and primary cause of most diseases is a derangement in the functions of the liver; or, in other words, an increased or diminished secretion of the Bile.

So well is this understood, that it is common for persons to say when they feel unwell, that they are bilious, meaning that they have too much bile in the stomach. On the other hand, when the flow of bile is diminished, the process of digestion is imperfectly performed, the patient becomes weak and emaciated, because nourishment contained in the food taken into the stomach is not properly extracted, and the food is ejected in a crude state. Dr Kingley is confident that the famous Hygeian Theory, so called, that "impurity of the blood is the cause of all diseases," is a great absurdity. Every one who reflects upon the subject a moment, will perceive that impurity of the blood is a secondary, not a primary complaint —the effect and not the cause of disease. When the functions of the liver are deranged, and the flow of bile increased, it is often taken up by the absorbent vessels and carried into the circulation, and becomes mingled with the blood as in Jaundice, when the patient shows it in his countenance. Now this impurity of the blood is caused by an increased flow of the bile, and to remedy it you must correct the secretion of the liver, and restore it to a healthy state.

Dr Kingley has spent much time in experimenting with different vegetable medicines, for diseases of the liver, and now offers his Universal Family Pills as the best, most convenient and cheapest medicine that can be prepared for general use; and in offering them to the public, he is actuated more by benevolent then pecuniary motives, as the price of the medicine will show.

Dr Kingley flatters himself that his long experimenting with vegetable medicines has enabled him to discover the true and only substitute answering all the purposes of mercurials, without any of their attendant evils. One great quality of his Family Pills is, that they have the alterative principle combined with their cathartic or operative quality, so that they not only cleanse the stomach and bowels by purging, but they regulate the liver, change the morbid secretions, strengthen the digestive organs, purify the blood, invigorate the circulation, and give tone and energy to the nervous system.

They are mild and pleasant in their operation, and convey almost immediate conviction of their utility from the first dose. They can be taken with safety by persons of any age, and the feeble, the infirm, the nervous, the delicate, are strengthened by their operation, because they clear the system of bad humors, quiet nervous irritabilities and restlessness, from whatever source, and invariably produce sound sleep.

The Family Pills are an invariable remedy for the jaundice, sick and nervous headache, dyspepsia, costiveness, sickness of the stomach, heartburn, all bilious complaints, fevers of all kinds, and if taken at the commencement will invariably check their progress, and save the patient from a protracted and dangerous sickness. They are invaluable in nervous and hypocondrical affections, loss of appetite, and all complaints to which females alone are subject. They operate as a mild and speedy purge, and are a safe and certain remedy for worms in children.

Since I have introduced my Universal Family Pills to the public, I have received numerous certificates of their superior efficacy in curing diseases; also many letters from respectable physicians who have used them in their practice with the best success.

I might publish a small volume of certificates, but consider it unnecessary, as the medicine will recommend itself to all who will make trial of it. JOHN KINGLEY.

These Pills are put up in neat boxes of two sizes, the small size contains 25 pills, and the retail price is 25 cents, the large size contains 60 pills, the price is 50 cents.

☞ PALMER, JONES & BLAKE have been appointed agents for the above pills for the New England States. Druggists and others can be supplied wholesale and retail, upon application to them at No 44 Hanover st, Boston.

feb3 eopP—Jan8

INTELLIGENCE AND GENERAL AGENCY OFFICE, Corner of Hanover and Union streets. —Merchants, Families, and others, wanting help, can be immediately supplied with respectable persons, upon application at this office. Those desirous of obtaining situations can be furnished with the same, by calling as above.

Farms, Houses, &c. sold and let upon very moderate commission. eopostm je29

DR. R. HARRINGTON'S SURE PREVENTIVE OF GONORRHŒA AND SYPHILIS.

"An ounce of Prevention is worth a Pound of Remedy."

THE long sought for desideratum lies no longer in total obscurity. Doctor Reuben Harrington has discovered by a chemical process, a most valuable preventive of that awful scourge to mankind, the Gonorrhœa and Syphilis. The above catholicon or preventive is sold no where, but by the inventor, No 58, Endicott street, Boston, Mass. where the above medicine is prepared and put up in bottles of six ounces each, labelled, with particular directions for using the same, enclosed. Price one dollar per bottle. eoptf my 12

THE MADISONIAN.—The subscriber will publish, at the City of Washington, D. C., from and after the first day of August next, a new political paper with the above title, to be devoted to politics, news, and subjects of general interest to the people.

The Madisonian will be published weekly and semi-weekly from the date mentioned, and also daily from the commencement of the next session of Congress, of a convenient size.

The terms of subscription are:

For the Madisonian, weekly, $3 per annum,
" " Madisonian, semi weekly, $5 per annum,
" " Madisonian, daily, $10 per annum,
" " Madisonian, daily, for the term of six months, $6; and semi-weekly, ditto, $3; and weekly, ditto, $2.

No subscription will be taken for a single copy of either edition, for a term short of six months; nor unless paid for in advance.

The Madisonian will be devoted to the support of the principles and doctrines of the democratic party, as delineated by Mr Madison, and will aim to consummate that political reform in the theory and practice of the national government which has been repeatedly indicated by the general suffrage as essential to the peace and prosperity of the country, and to the perfection and perpetuity of its free institutions. At this time a singular state of affairs is presented. The commercial interests of the country are overwhelmed with embarrassment; its monetary concerns are unusually disordered; every ramification of society is invaded by distress, and the social edifice seems threatened with disorganization; every ear is filled with predictions of evil and the murmurings of despondency; the general government is boldly assailed by a large and respectable portion of the people, as the direct cause of their difficulties; open resistance to the laws is publicly encouraged, and a spirit of insubordination is fostered, as a necessary defence to the pretended usurpations of the party in power; some, from whom better things were hoped, are making the "confusion worse confounded" by a headlong pursuit of extreme notions and indefinite phantoms, totally incompatible with a wholesome state of the country. In the midst of all these difficulties and embarrassments, it is feared that many of the less firm of the friends of the administration and supporters of democratic principles are wavering in their confidence, and beginning, without just cause, to view with distrust those men to whom they have been long attached, and whose alleviation they have labored to promote from honest and patriotic motives. Exulting in the anticipation of dismay and confusion amongst the supporters of the administration as the consequence of these things, the opposition are consoling themselves with the idea that Mr Van Buren's friends, as a national party, are verging to dissolution; and they allow no opportunity to pass unimproved to give eclat to their own doctrines. They are, indeed, maturing plans for their own future government of the country, with seeming confidence of certain success.

This confidence is increased by the fact, that visionary theories, and an unwise adherence to the plan for an exclusive metallic currency have unfortunately carried some beyond the actual and true policy of the government; and, by impairing public confidence in the credit system, which ought to be preserved and regulated, but not destroyed, have tended to increase the difficulties under which the country is now laboring. All these seem to indicate the necessity of a new organ at the the seat of government, to be established upon sound principles, and to represent faithfully, and not to dictate, the real policy of the administration, and the true sentiments, measures, and interests, of the great body of its supporters. The necessity also appears of the adoption of more conservative principles than the conduct of those seems to indicate who seek to remedy abuses by destroying the institutions with which they are found connected. Indeed some measure of contribution is deemed essential to the enhancement of our own self respect at home, and to the promotion of the honor and credit of the nation abroad.

To meet these indications this undertaking has been instituted, and it is hoped that it will produce the effect of inspiring the timid with courage, the desponding with hope, and the whole country with confidence in the administration of its government. In this view, this journal will not seek to lead, or to follow any faction, or to advocate the views of any particular detachment of men. It will aspire to accord a just measure of support to each of the co ordinate branches of the government, in the lawful exercise of their constitutional prerogatives. It will address itself to the understandings of men, rather than appeal to any unworthy prejudices or evil passions. It will rely invariably upon the principle that the strength and security of American institutions depend upon the intelligence and virtue of the people.

The Madisonian will not, in any event, be made the instrument of arraying the north and the south, the east and the west, in hostile attitudes towards each other, upon any subject of either general or local interest. It will reflect only that spirit and those principles of mutual concession, compromise, and reciprocal good will, which so eminently characterized the inception, formation, and subsequent adoption, by the several states, of the constitution of the United States.—Moreover, in the same hallowed spirit that has, at all periods since the adoption of that sacred instrument, characterized its defence by the people, our press will hasten to its support at every emergency that shall arise, from whatever quarter, and under whatever guise of philanthropy, policy or principle the antagonist power may appear.

If, in this responsible undertaking, it shall be our good fortune to succeed to any degree in promoting the harmony and prosperity of the country, or in conciliating jealousies, and allaying the asperities of party warfare, by demeaning ourself amicably towards all; by indulging personal animosities towards none; by conducting ourself in the belief that it is perfectly practicable to differ with others in matters of principle and of expediency, without a mixture of personal unkindness or loss of reciprocal respect; and by "asking nothing that is not clearly right; and submitting to nothing that is wrong" then, and not otherwise, will the full measure of its intention be accomplished, and our primary rule for its guidance be sufficiently observed and satisfied.

This enterprize has not been undertaken without the approbation, advisement, and pledged support of many of the leading and soundest minds in the ranks of the democratic republican party, in the extreme north and in the extreme south, in the east and in the west. An association of both political experience and talent of the highest order will render it competent to carry forward the principles by which it will be guided, and make it useful as a political organ, and interesting as a journal of news. Arrangements also have been made to fix the establishment upon a substantial and permanent basis. The subscribers therefore, relies upon the public for so much of their confidence and encouragement only as the fidelity of his press to their great national interests shall prove itself entitled to receive. THOMAS ALLEN.

Washington City, D. C., July, 1837. jy18

☞ Subscribers may remit by mail, in bills of solvent banks, postage paid, at our risk; provided it shall appear by a postmaster's certificate, that such remittance has been duly mailed.

A liberal discount will be made to companies of five or more transmitting their subscriptions together.

Postmasters, and others authorized, acting as our agents, will be entitled to receive a copy of the paper gratis for every five subscribers, or at that rate per cent. on subscriptions generally; the terms being fulfilled.

Advertisements will be inserted at the usual printers' rates.

Letters and communications intended for the establishment will not be received unless the postage is paid.

RETURN

THIS VALUABLE INSTRUMENT *and receive your money if you are dissatisfied.* THOMPSON'S NEW PATENT TRUSS, *superior to all others ever yet invented.* The principle has finally been discovered by which a *permanent cure* of the *Hernia* (or rupture) can be effected. Numerous certificates have been published and may be seen at the Agent's room, 297 Washington street, (being same house Dr Hewett keeps his rooms) and from gentlemen of the first respectability who have been cured by wearing them. It is not only the easiest to wear of any Truss ever invented, but it keeps the rupture (by an ingenious lock) perfectly safe, so that the patient can ride or labor just as well as though he was not afflicted with the Hernia. The success attending its use, and the constantly increasing demand for it is so great, that it may with perfect confidence be recommended, with the assurance that there is no imposition in the article. A trial of this instrument is its best recommendation, and any gentleman can have the privilege of wearing it six days on trial, at the expiration of which time, if there be dissatisfaction, the article will be taken back, and the money returned.

Boston, July 14, 1837.

COPARTNERSHIP NOTICE.—The subscribers respectfully give notice, that they have this day associated themselves in business, and taken the stand formerly occupied by the late Jonathan Bridge, where they offer for sale a prime assortment of West India Goods; their stock is entirely fresh, that of the deceased having been disposed of at auction. Old customers to the stand are invited to continue their patronage to the undersigned, as all efforts on their part will be made to render the Establishment worthy of support.

BENJAMIN B. HOWE,
JAMES MELLEN.

Charlestown, July 10, 1837. 5t jy17

HORSE LOST.

STRAYED OR STOLEN—From a pasture on Bunkerhill, on Sunday night, July 16, a dark red Canadian Horse, with black maine, a little white spot in the forehead, switch tail, small legs, black hoofs, and a seam in one of the hind hoofs.

Whoever will return the Horse to the subscriber, in Charlestown, Mass. shall be handsomely rewarded.

jy18 5t* ABIJAH HOVEY.

FIFTY DOLLARS REWARD.—Whereas some evil disposed person or persons, entered the enclosure of the subscriber, in Roxbury, on the night of the 17th inst. and did extensive damage to the property of the undersigned, by destroying a number of ornamental forest trees. I will hereby engage to pay the above named sum of Fifty Dollars to any one who will give information that shall lead to the detection and conviction of the offender.

jy19 6t AMOS STEVENS.

WANTED IMMEDIATELY.—A large quantity of gentlemen's offcast winter garments, for which the highest cash prices will be given in cash or fancy goods. Gentlemen about to leave the city, or others who are desirous of clearing out their wardrobes, will find it to their advantage to give the subscriber a call. W. S. & T. JENNINGS, variety store, 100 Court street. eop3m my 31

PRESERVED GINGER.—WHITWELL, BOND & CO. have for private sale 100 boxes best Christal Ginger. jy1

OIL AND BONE.—The cargo of ship Navy, consisting of 2600 bbls Whale, 200 do Sperm oil; 35000 lbs Whalebone. For sale by F. E. WHITE, 22 Long wharf. jy13

Dr GRAHAM'S VEGETABLE PILLS.

IN these Pills the proprietor offers to the public the result of a long and an unwearied investigation of the Laws of the Human System. He trusts that prejudice will not raise its mighty and powerful arm against this recent and valuable discovery; and that the cry of Quackery! Quackery! will not mislead the invalid from the short and speedy road to health.

It is a common place truth, admitted by all, but alas! neglected by nearly all, that most of the diseases to which the human frame is subject, are produced by excesses and irregularities of living; thereby infringing the laws which govern the several functions of the body. These laws are simple and plain, the neglect of which is as sure to bring a mournful train of evils as the neglect of the moral laws of our nature.

The Stomach has been justly styled "the storehouse of disease." How often are parents, the natural guardians of their children's health and welfare, the immediate agents in the ruin of both. Misguided affection is sometimes the cause of this fatal error. I allude to the too common practice of gratifying children in their calls for any and every kind of food, whatever may be the constitution of the former or the nature of the latter. Its cries are choked, its stomach is stuffed with food, and that not always of the most appropriate quality. Its passively swallowing whatever is put into its mouth is mistaken for a real fondness for the same.

But among the Causes of Diseases, and a tendency thereto in the system, is the too frequent indulgence of *Animal Food*, in preference to the productions of the Vegetable Kingdom. Most persons act as though the strength, vigor and health of the body rose in proportion to the load of *Animal* food they are capable of forcing daily into their stomach. Nature has designed that mankind should subsist upon a *Vegetable Diet*. This idea is by no means a new one. *Newton*, Rosseau and Gassendi have maintained it. In these *enlightened times*, the philosopher oftner sinks into the man, than the man into the philosopher. Fashion and habit must be the ruling principle of life; and therefore nature's designs are frustrated, and foul disease, Protheus like, infests the world in a thousand different forms.

We have every reason for believing that the fruits of the earth constituted originally the only food of man. The majority of mankind at the present day eat only of vegetables. We know that the Hindoo lives entirely upon rice and water. In Ireland the greatest proportion of the people subsist on potatoes, with a small addition of oaten meal. And where shall we find a more robust and hardy nation than the Irish? The same is true with regard to Scotland and Italy, and the parts of the South of Europe. But it is not necessary to enter further into this deeply interesting question. It is sufficient to say that I have discovered a medicine that will counteract the evil and restore lost health. After great hesitation I have been persuaded by the urgent solicitations of my numerous friends, to offer them to the public. I should not have yielded at all, had not a conviction of their vast utility, and a desire to benefit my fellow creatures, furnished additional motives.

Numerous certificates of cures have been offered, but the Proprietor trusts to the merits of the medicine rather than the recommendations of others. The following diseases are cured by them, and health perfectly restored; Indigestion, or Dyspepsia; Spring complaints, as Weakness, Loss of Appetite, Sleepiness, Pain in limbs and Sides, Diarrhœa, Dropsy, Dysentery, Erysipelas, Cholic, Heartburn, Hysteria, and other diseases incident to females, Headache, Jaundice, King's Evil, Rheumatism, Gout, Virtigo, or Dizziness, all Humors, &c.

It is likewise a valuable family physic, safe and mild in its operation.

AGENTS.—T. Cottrell, 97 Fulton street, New York; Otis, Broaders & Co, 147 Washington street, Boston; S Rodenburg, Charlestown, Mass; B. Colman, Salem; J. R. Newhall, Lynn; R. Meacham, Lowell; W. S. Bartlett, Plymouth; A. E. Thayer, Nashua, N. H.; G. & E. Wadleigh, Dover; Geo Tilden, Keene.

☞ Beware of counterfeits. Purchase only of the Agents regularly appointed. Th6m a27

IMPORTERS OF AND WHOLESALE DEALERS IN WATCHES, JEWELRY & MILITARY GOODS.

my15 epos

CROWN GLASS.—The New England Crown Glass Company invite the attention of the public to their manufacture of Window Glass. They have taken the chambers over the store of Messrs Sumner & Hopkins, in School street, and are now opening an entire assortment of their glass for wholesale or retail.

The better to adopt their Glass to general use, they now divide it into 4 sections, viz: N. E. No I, Cambridge 1 and 2, and extra.

The N. E. No 1, is composed principally of what was before termed 1st quality. The Cambridge No 1. correspond to the former 2d quality and is altogether superior to the best of the German and other Cylinder Glass. Cambridge No 2, is a good merchantable article for factories, stores, out houses, sky-lights, green houses, and buildings of the less expensive kind, and is cheaper by weight than the common Glass. The 7 by 9, and 8 by 10 come at 4 and 5 cents pr light, by the box.

The extra is a small portion selected for front parlor windows—and from the greater purity of its color, and durability of its lustre, it will command a preference at the same price, over the Dutch plate Glass.

By this certificate the purchaser may, by selecting the different qualities appropriate to the various parts of his building, obtain the glass at a great reduction from its former price—and it also supersedes the necessity for using the German Cylinder Glass, which disfigures so many of our otherwise handsome buildings.

There is no difference in the several selections in the color, thickness, and transparency of the Glass, nor in its external brilliancy; the Cambridge No 1, therefore, is as appropriate for the higher stories of the best buildings, as the extra for the parlors.

The impression has heretofore been general that Crown Glass was too costly except for buildings of an expensive character, but by a reference to their price current, it will be found that the cost of the New England Crown Glass over the Cylinder Glass, when judiciously selected, will not exceed one half to one per cent. on the cost of the building, according as it may stand alone or in the block—and there is no other manner in which an expenditure of five times the amount will add so much to the beautiful appearance of the building.

The New England Crown Glass also, by being of double thickness, is capable of withstanding violent winds, hail storms, severe jars, and cracking from contraction in cold weather—its thickness also, will make the rooms warmer by more effectually excluding the cold. Its use in the end is more economical independent of its greater beauty.

The Company have now on hand 8 to 10,000 boxes of the different sizes and selections, all of which has been opened and re-assorted with great care, and for all ordinary sizes an order can be executed within a week from its receipt.

They have also on hand, a few hundred boxes of various sizes of imperfect color, suitable for grinding and backs of buildings, which will be sold at a reduced price.

Gentlemen building, are requested to call and examine this beautiful article for themselves, before they make their contracts. By seeing an assortment of the various qualities they will be able to judge understandingly the kind adapted to their wants.

The office hours of the Agent in Boston are from 11 till 2, but in his absence Messrs SUMNER & HOPKINS are authorized to make sales J. S. HASTINGS, Agent.

je12 2awtf

DISSOLUTION OF COPARTNERSHIP.—The copartnership hitherto existing under the firm of TABER & SMITH, is this day dissolved by mutual consent; J. Taber is authorised to settle the affairs of the late firm, and all persons indebted to Messrs Taber & Smith are requested to call at No 76 Washington street, and settle, that the books of the firm may be closed.

JOB TABER,
AMASA G. SMITH.

Boston, July 19, 1837.

NOTICE.—The subscriber will continue in business at the stand of the late firm of Taber & Smith, No 76 Washington street, and solicits a continuance of public patronage; he will keep constantly on hand a good assortment of Carpetings, Rugs, Painted Floor Cloths, &c.

jy 19 JOB TABER.

THE GRAVE.—This day published and for sale by the Booksellers The Grave, a Poem, by Dr Blair, neatly bound in muslin, at 25 cents. This work will delight both the grave and the gay. 3t* jy19

SITUATION WANTED.—A first rate French Cook wishes a situation—he has been employed as Cook in some of the first Hotels in America, and can produce good recommendations. Apply at 47 Milk street.

jy19 ep1w

BOOTS AND SHOES.

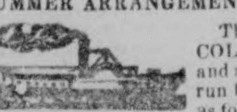
Here you will find them at No 53, corner of Blackstone and Ann streets.

CHARLES HASTINGS respectfully informs his friends and the public, that he has taken the above store, and has purchased his stock for Cash, and will sell for Cash only, cheaper than cheap, a general assortment of gentlemen's, ladies' and childrens Boots and Shoes.

jy19 5sp*

POTATO STARCH.—106 tierces Potato Starch for sale by WHITWELL, BOND & CO. je26

BOSTON AND HINGHAM.
SUMMER ARRANGEMENT—THREE TRIPS A DAY.



The Steam Packet GEN. LINCOLN, Capt. George Beal, will on and after MONDAY next, June 26th, run between Boston and Hingham as follows, until further notice:—

Leave Hingham		Leave Liverpool whf, Boston,	
At 6½ o'clock,	A. M.	At 9½ o'clock	A. M.
11 "	A. M.	1 "	P. M.
4 "	P. M.	6 "	P. M.

On SUNDAYS the boat leaves Boston at 9 o'clock A. M. 2 P. M. and 8½ P. M. and Hingham at 6 o'clock, A. M. 10 A. M. and 5 P. M.

The boat will start punctually at the above hours.

Fare 37½ cents. Carriages will be in readiness on the arrival of the boat at Hingham, to convey passengers to any part of that and all the neighboring towns.

N. B.—Passengers by applying at the Captain's office can be conveyed to any part of the city for 12½ cents.

DAVID WHITON, Agent.

Hingham, June 22, 1837. je24

KENNEBEC AND BOSTON STEAM NAVIGATION CO.

The Steam Packet NEW ENGLAND, Capt Nathaniel Kimball, will leave Lewis' whf, for Bath and Gardiner, every Wednesday and Saturday at 7 o'clock, P. M.

Leaves Gardiner every Monday and Friday, at 3 o'clock P. M and Bath at 6 o'clock, P. M.

Carriages will be in readiness to take passengers to and from Hallowell, Augusta and Waterville, on the arrival of the boat and the days of sailing.

Fare from Boston to Bath, $3 50, } And Found.
" " to Gardiner, $4 00, }
" Bath to " $1 00, }

Deck Passengers, $2 00.

Agents, M. W. GREEN, Boston—JOHN BEALS, Bath—L. H. GREEN, Gardiner. a19

FOR PORTSMOUTH, DOVER, GTEAT FALLS, AND SOUTH BERWICK.

ARRANGEMENTS FOR JULY.

The new and elegant Steamer PORTSMOUTH, Capt Thos. Howes, will leave Eastern Steamboat wharf every Monday, Wednesday, and Friday mornings, at 8 o'clock precisely. Fare to Portsmouth $2—to Dover, Great Falls, and South Berwick, $2,50—meals extra. Stages will be in readiness on the arrival of the Boat to convey passengers to the various places.

Leaves Portsmouth every Tuesday, Thursday, and Saturday mornings, at 8 o'clock. Stages bring passengers from the various places in time to meet the Boat.

Freight received on board the day before sailing.

Notice will be given by handbills when the Portsmouth makes excursions. I. W. GOODRICH, Agent.

je26 4tisostf

ALBANY AND TROY PACKETS.—REGULAR LINE.

Schooner	VISSCHER,	Owen Bearse, master.
"	GRECIAN,	A. Watson, "
"	BENJ. BIGELOW,	F. Wells, "
"	VICTOR,	John Cammett, "
"	DEBORAH,	D. A. Allen, "
"	STRANGER.	Nelson Bearse, "
"	NIAGARA,	Andrew Lovell, "
"	ALBANY,	Edwin Scudder, "

These vessels are all of the first class, with experienced masters, who are likewise first rate pilots.

The owners of this line, to avoid detention by head winds and shoal water, in the narrow and shoal part of the river near Albany, have purchased (to be used by this line) the Steam Boat "WADSWORTH," as a tow boat and lighter, which, with the lighter Grampus, of ninety tons, built the last season expressly for this line, they think will prevent the delay hitherto experienced at that place, and insure punctuality and dispatch. Merchandise by this line, destined to places on the northern, western or Ohio Canals, northern and western Lakes, &c. &c. &c. will be forwarded by the Agents without delay.

These packets will sail regularly on Wednesday and Saturday of each week, from opposite No 15 Long whf, north side, Boston, and from the piers at Albany and Troy.

The patronage of the public is respectfully solicited.

Agents at Boston—BANGS & ALLCOTT, 15 Long wharf.

Agents at Albany—GAY & WILLARD, 104 Pier, foot of State st. Agents at Troy—GAY & WILLARD, 189 River street. eptf mh3

TO FISHING AND PLEASURE PARTIES.

THE subscriber would respectfully inform his friends and the public that he has put his fast sailing pleasure boat TREMONT in complete repair, and is ready to attend upon those who may favor him with their patronage. The Tremont is a first rate boat, (about 15 tons,) and was built expressly to accommodate Fishing and Pleasure parties, and will accommodate from 20 to 30 persons. The subscriber has likewise a number of smaller boats to accommodate those who do not wish for so large a boat. No pains will be spared to supply his boats with all necessary conveniences, and he respectfully solicits a continuance of that public favor which has been bestowed upon him in former seasons. The boats can be had at short notice, by leaving orders at BENJ F. MAHAN'S, No 71 Long wharf, where they can be furnished with stores, lines, cooking apparatus, &c.

my29 ep3m ANTONIO DOMINGO.

SITUATION WANTED.—A young man who is acquainted with the W. I. Goods business is desirous of engaging as Partner with some one now in that business, or would engage as book-keeper or salesman in some wholesale establishment. A line addressed to A. through the Post Office will be attended to. jy15 8sp is&eopostf

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HAY FOR SALE.—Vessels bound to Savhanna, Mobile, or New Orleans, can be furnished with hay, on freight, to complete their cargoes at a few hours notice, by calling on A. BLANCHARD, No 6 Garden Court Street, or at his hay store, East Boston. Also 1000 lbs of first quality live geese feathers, for sale in bags of 30 to 50 lbs. A good ship from 300 to 400 tons can have a freight for Mobile.

6tiseptfos je6

PARTNER WANTED—With a capital of $1000, to go into a safe and profitable business. Address D. B. through the Post Office. eptf jy11

REMOVAL.—FREDERICK POOL respectfully informs his friends and the public that he has removed from No 176 Tremont street, to his Old Stand, No 8 Congress street, where, as formerly, he will devote his whole attention to manufacturing. Having made material improvements and additions to his machinery, he will be able to execute work in a superior manner, and at a great discount from his former prices.—Constantly on hand an assortment of Marine, Mountain, House, and other Barometers; Self-registering Differential, fancy and common Thermometers, with a great variety of Philosophical, Chemical, and Astronomical Apparatus; Brewer's, Dyer's, Sugar-Refiner's, Chemist's &c., &c., Thermomers made and repaired at the shortest notice. Orders from his former customers and dealers generally will be thankfully received and promptly attended to.

N. B.—Entrance on the west side, opposite the Exchange Coffee House. eop3m je 14

LONDON PERFUMERY.—The following articles are well known:—

ATKINSON'S OLD BROWN WINDSOR SOAP, made by a new process, is equal, if not superior, to the most fashionable Soap, sold at double the price.

ATKINSON'S ALMOND SOAP, made from the purest Almond Oil, the mildest Soap, most fragrant in its perfume, and greatest beautifier to the skin hitherto known.

Also, his OTTO OF ROSE. CAMPHOR for chapped hands.

AMBROSIAL SOAP. It is made from the purest vegetable oil, and is eqally mild as the Almond, only differing from it in perfume and color, the latter being a light brown, and the perfume a combination of those most generally approved.

ATKINSON'S BEARS' GREASE, warranted genuine as imported. This article, exclusive of its well known regenerating properties, is a very elegant substitute for Oils, Pomatums, and Extracts, for dressing the hair.

CREAM OF ALMONDS. For allaying all smarting pain, which the skin is subject to from the change of heat and cold, or any other cause, and is much preferable to Cold Cream.

ATKINSON'S VRGETABLE DYE, for changing gray or red hair on the head or whiskers, to a permanent brown or black.

CAUTION.—Every article in perfumery of James Atkinson's manufactory, has his name and address distinct on the label, and also a small address stamp, printed in colors, similar to a patent medicine stamp.

ALLA AD DEEN MAHOMED'S DYE, for changing the hair on the head, eyebrows, or whiskers, to a permanent brown or black, by one application, without staining the skin or the finest linen.

A fresh supply of the above just received by J. & E. Atkinson's Agent, at the Music Saloon, and London Importing Warehouse, No 34 and 36 Cornhill, late Market street.

july4 4wisostf

M. KRAMER & CO. inform the public generally that they have received by the last arrivals from Europe, several valuable Musical Clocks, one of which, called the Melodium, performs several concertos and marches, and is an elegant piece of furniture for a parlor.

Also—several wooden figures, calculated as models for Painters, which can be placed in any position required—being all jointed.

Also—several cases of Pocket Looking Glasses, calculated for exportation.

Also—a large assortment of Beads of every description and color, and a large assortment of Toys—which they offer for sale, by wholesale and retail, at their store, No 48 Cornhill formerly Market st. eopostf—d12

BANGOR SLATES.—For sale, a good assortment of Bangor Slates, consisting of imperials and 16 by 8 inch, and 14 by 8 inch, best ladies. They will be sold low, and laid on roofs if required, by experienced workmen, either in the city or any other part of the country, at the lowest Boston prices. For terms apply to JOSEPH BORROWSCALE & SONS, No 52 Essex street, or at 71 Commercial st. tf au27

SCOTCH BUCKRAMS, FOR CASH.—14 Cases for sale at low prices, by WHITWELL, BOND & CO.

jy11 3w

BOSTON & PROVIDENCE RAIL ROAD.—All baggage at the sole risk of the owners thereof.

In conformity with the usual practice, the Summer Arrangement, for the departure of trains, will go into effect on the first Monday in April, leaving Boston and Providence at 7 A. M. and 4 P. M. daily (Sundays excepted.)

Steam Boat Trains leave Boston at 1 P. M. to meet the Steam Boats of the Transportation Co. for New York, daily, (Sundays excepted.)

Leaves Providence on the arrival of the Steam Boats of the Transportation Co from New York, (Mondays excepted.)

Merchandise Trains leave Boston and Providence at 5 P. M. daily, (Sunday excepted.)

For further information apply to the Company's Offices, Boston and Providence. DANIEL NASON,
Master Transportation Boston Depot.

mh29 is3wostf

BOSTON AND WORCESTER RAILROAD.—The Passenger Cars will leave the Depot, South Cove, at 6 and 10½ A. M., and 4 P. M. and Worcester at the same hours.

On Sundays hereafter a train will leave Boston and Worcester at 6 o'clock, for the conveyance of the mail.

All baggage at the risk of the owners.

Fare to Worcester, $2.

MERCHANDISE

Promptly forwarded from Freight Depot, 617 Washington street, at $3,50 per 2000 lbs. Cargoes, received and forwarded from Railroad Wharf, South Cove.

my19 tf J. F. CURTIS, Sup't.

BOSTON & LOWELL RAILROAD.
SUMMER ARRANGEMENT.

ON and after Monday, April 10th, the Passenger trains will run as follows:

Leave Boston at 7 A. M. 11 A. M. and 5½ P. M.
Leave Lowell at 7 A. M. 2 P. M. and 5½ P. M.

The morning and evening trains will stop for way passengers at the usual places.

All baggage at the risk of the owners—allowance to each 40 pounds. Tickets one dollar.

NOTICE.

The Boston and Lowell Railroad Corporation hereby give notice that they have adopted the following rules and regulations, in regard to their liability as carriers.

First, as to Passengers.—All baggage to be at the sole risk of the owners.

Second, as to Freight.—This company will not be responsible for any goods, merchandise, money, bank notes, or other articles, unless receipted for by the officer of the Company, appointed for that purpose, nor for any loss or injury, unless such as may arise by fire from the Locomotive Engines, or by the gross negligence of the Agents of the Company, nor for a greater amount than two hundred dollars on any one package, unless by special agreement.

All goods and merchandise shall be at the risk of the owners while in the Company's Store-houses.

CHARLES S. STORROW, Agent.

Boston, June 9, 1837.

ANDOVER BRANCH.

The Andover cars will start at the same houre in connection with the Lowell Trains.

Passengers can be conveyed by Railroad from Andover to Lowell, and vice versa. a6

ANDOVER AND HAVERHILL R. ROAD.

ON, and after Monday, April 10th, the Passenger Cars will leave Boston, (in connection with the Lowell trains) and Haverhill, at the same hours, viz.

Leave Boston at 7 A. M. 11 A. M. and 5½ P. M.
Leave Haverhill at 7 A. M. 2 P. M. and 5½ P. M.

☞ Fare, 87½c.

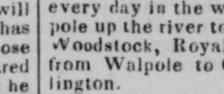
All Baggage at the risk of its owners. Allowance to each, 40 lbs.

Tickets may be obtained at the Ticket Office of the Boston and Lowell Railroad, Boston; at Wildes' General Railroad and Stage Office, No. 11 Elm street, and at Stone's City Tavern.

Passengers obtaining tickets at No. 11 Elm street, and at Stone's City Tavern, will be conveyed to the Railroad, free of expense. Passengers travelling to Boston, may obtain tickets at the ticket Office in Andover, and at the Stage Office, Haverhill.

Stages connect with the Railroad at Haverhill, and convey passengers to Exeter, Dover, Concord, Portsmouth, and intervening towns. tf a6

BOSTON, KEENE AND BURLINGTON MAIL STAGE—OLD LINE.



Leaves HOBART'S, No 36 Hanover street, every Morning at 5 o'clock, and reaches Keene at 7 P. M. through Lexington, Concord, Acton, Littleton, Groton, Townsend, Ashby and Fitzwilliam, on Tuesday, Thursday, Saturday and Sunday. Also, from Townsend through New Ipswich and Jaffray to Keene, every day in the week except Sunday, from Keene to Walpole up the river to Windsor, Hanover, Haverhill, &c., also to Woodstock, Royalton and Montpelier to Burlington. Also, from Walpole to Chester, Rutland and Middlebury to Burlington.

Brattleboro and Albany stage leaves Hobart's on Tuesday, Thursday, Saturday and Sunday, by the way of Groton and Fitzwilliam, at 5 o'clock, A M.

A stage leaves the above place for Shirley, on Tuesday Thurday and Saturday at 5 A. M.

Also, for Lunenburg, on Mondays, Wednesdays and Fridays, at 5 A M. ELIAB BROWN, Agent.

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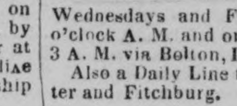
A DAILY LINE OF STAGES



Leaves Boston for Greenfield, Troy and Albany, every day except Sunday, viz:

Leaves Wilde's General Stage Office, No 11 Elm street, Mondays, Wednesdays and Fridays, via Templeton and Athol, at 3 o'clock A. M. and on Tuesdays, Thursdays and Saturdays, at 3 A. M. via Bolton, Lancaster and Barre.

Also a Daily Line to Keene and Brattleborough, via Lancaster and Fitchburg.

C. FIELD, Agent, at Boston.
jy6 6m C. SMEAD, Agent, at Greenfield.

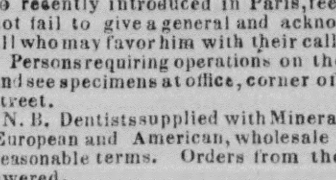
REMOVAL.

INCORRUPTIBLE PORCELAIN TEETH.—The subscriber returns his sincere thanks to the citizens of Boston for the liberal patronage he has received from them during the last year—he has now removed his office to a more central situation, and owing to the great number of teeth inserted by him daily, he is enabled to reduce his terms at least 50 per cent on all operations from this date. The average price for the best Porcelain Teeth will be, on gold plate $3, pivot $1 to 1 50, filling and cleaning 75 cents to $1. and all operations warranted for the term of five years. He will continue to visit persons at their residence and complete any operations in two visits half an hour each. He has within the last three years instructed several Dentists in this city, who are now practising with great success.

CHARLES J. HOUPT, No 11 Winter street.

N. B. A complete set of 24 teeth to masticate with ease, for a person that has no teeth, will be ready for inspection in one month, and one hundred dollars will be paid on presentation for a better specimen of workmanship. jan19

IMPROVEMENT ON DENTAL SURGERY.



Dr B. T. PRESCOTT continues to perform all the necessary operations on the Teeth, both for their beauty and preservation. Dr P. having obtained the latest and highly approved method of inserting the mineral or *incorruptible* Teeth on gold plate, so recently introduced in Paris, feels assured that he cannot fail to give a general and acknowledged satisfaction to all who may favor him with their calls.

Persons requiring operations on the teeth will please call and see specimens at office, corner of Hanover and Portland street.

N. B. Dentists supplied with Mineral or Incorruptible Teeth, European and American, wholesale and retail, on the most reasonable terms. Orders from the country promptly answered. je27

WANTED—A man to take care of a Horse, Chaise and Garden—a man to work on a Farm—a man to work in a Family—a boy to learn a Chaise and Harness Maker's trade—a boy in a Store. Apply at 47 Milk street.

jy 18 3t

ACCORDIONS.—The subscriber will close their stock of Accordions at reduced and extremely low prices.—Purchasers by single one or dozen, are invited to examine them. BATES & TOLMAN, 6 Court st. 1m jy18

UNCURRENT MONEY.—Providence Banks—City Bank, Portland—Old Town Bank, Maine—New Haven—Bridgeport—Adams and St. Albans—Manchester—Fairfield County—Stanford—Essex Bank, Guildhall—all Banks in R. Island—purchased by J. W. CLARK, Exchange Broker, No 6, City Hall, State st. tf my 27

WANTED.—A middle aged man to take care of a horse, chaise and garden—a man to work in a mill—a man to work on a farm—a boy to work in a family—a young man to take care of a horse, chaise and garden. Apply at 47 Milk street. jy10

CHURCH ORGAN.—HENRY PRENTISS, No 2, Pemberton Hill, has for sale a superior toned Organ suitable for a small church, or vestry containing 6 stops, viz: Open and stop Diapason, principal, Cremona, Dulciana, and stop Diapason Bass,—which will be sold low if applied for soon. my6